

HOWNIKAN

PEOPLE OF THE FIRE



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Citizen Band Potawatomi Tribe

February, 1990

Tribe obtains another tax injunction

State tries to cut off beer at Tribal Store, golf course

The latest effort of the Oklahoma Tax Commission to regulate and tax activities on Potawatomi trust land was frustrated this month when U.S. District Judge Lee R. West issued a temporary injunction forbidding the commission from interfering with beer sales at the tribal convenience store.

Also affected were beer sales at Firelake Golf Course.

The temporary injunction, which will remain in force pending a full hearing and ruling in a suit brought by the Tribe against the Tax Commission, prohibits the commission, its officers, agents or employees "and all persons in active concert or participation with them" from directly or indirectly attempting to regulate the purchase or sale of beer at the store.

Judge West's order was requested by Tribal attorney Michael Minnis as part of a suit which was filed after the Tax Commission began pressuring wholesale suppliers who had been selling beer to the store, located at the intersection of Gordon Cooper Drive and Hardesty Road in Shawnee.

On Jan. 16, 1990, the commission wrote two beer wholesalers, Tirey Distributing Co. and Bryson, Inc., and told them that their Oklahoma wholesaler licenses would be revoked if they sold to organizations which had not been licensed by the commission. Since the convenience store is owned by the Citizen Band Potawatomi Tribe and sits on Tribal trust land, the store is licensed by the Tribe, not by the

Continued, page 20

Tribe already receiving absentee ballot requests

Absentee ballot applications are already being received at tribal headquarters, even though candidates will not file for offices until April.

Although the January *HowNiKan* reported that filing would be March 29-April 2, that was in error. The actual filing dates are April 2-4, from 8 a.m. to 5 p.m. daily, at tribal headquarters. Filing fee is \$150, which may be waived upon presentation of a qualified petition.

On the ballot this year will be the Vice Chairman and Secretary-Treasurer positions on the Business Committee, currently held by Jim Young and Bob Davis respectively. Both have indicated they plan to seek re-election.

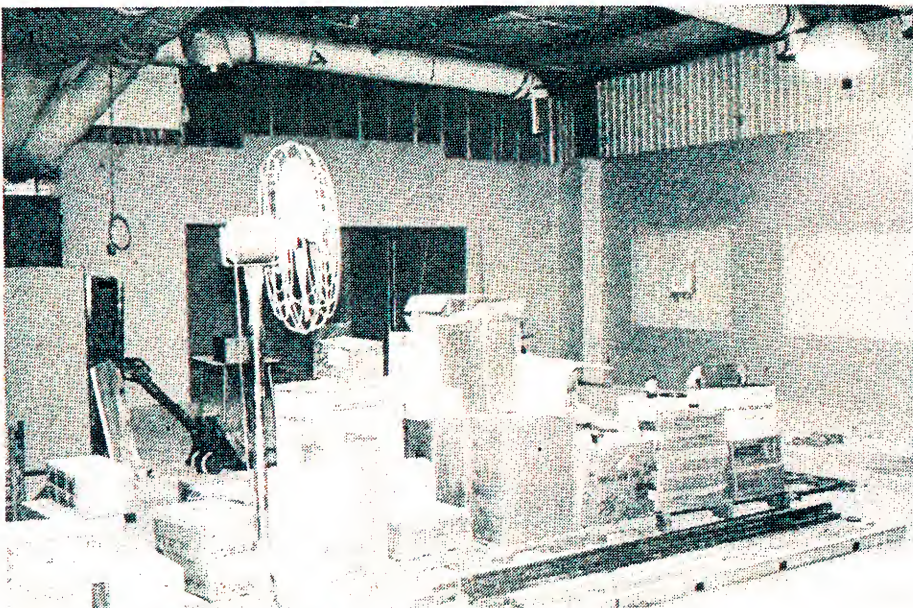
Election Committee chairman David Bourbonnais reminded tribal members that even though some of them have already submitted their

**Text of new
election ordinance
pages 12-17**

applications for absentee ballot, they will receive nothing in the mail from the tribe until mid-April. Applications are not acknowledged and of course the ballots cannot be printed until after the filing period ends April 4. As soon as the ballots have been printed, they will be sent to those properly requesting them. As of early February, there are 10,240 eligible Potawatomi voters.

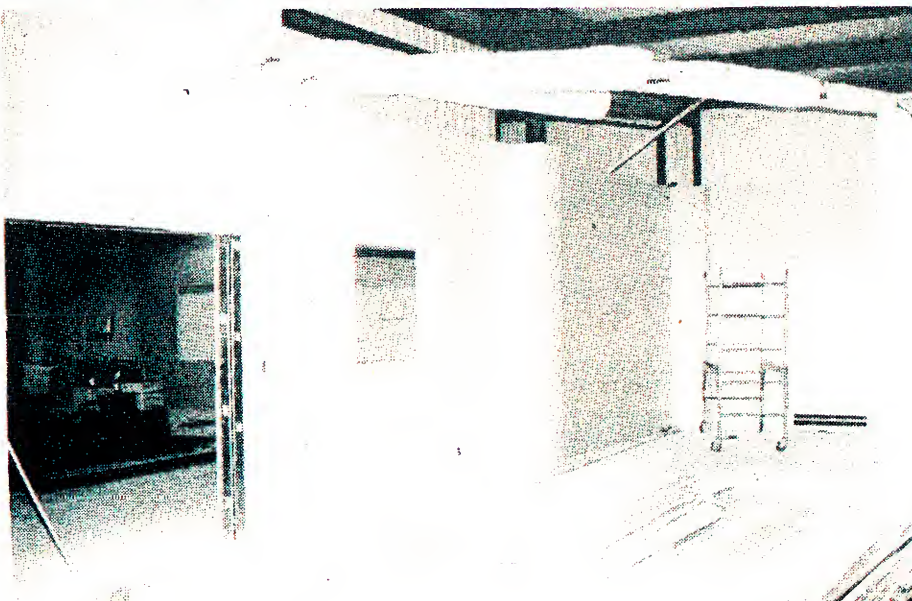
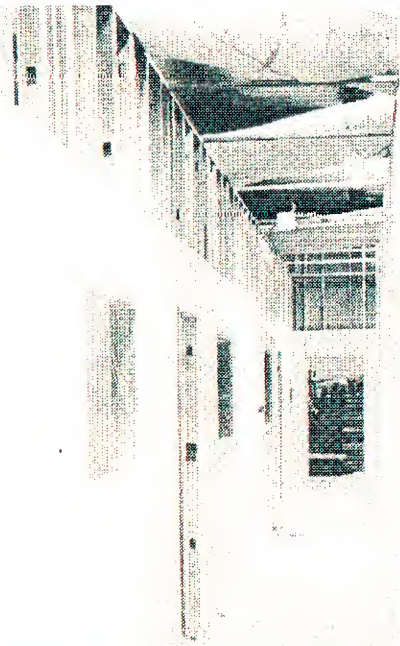
Committee member Don Yott reminded voters to be sure to fill out their applications thoroughly. "We must have the name, correct mailing address, roll number and legal

Continued, page 20



Transformation!

Work is going on at a rapid pace on the project to remodel the large building on Hardesty Road to house the Title IV elderly nutrition program and the Community Health Representative program. The project will result in expanded facilities and services for elderly Tribal members. The picture above shows where the dining area will be. Offices will be located along the hall at right, while the recreation area will be in the space shown in the picture below.





Ed Herndon, Left, Goes Over Paperwork With Dovie Sheridan, Seated. Behind Them Are Brian Eddlemon And Pat Wind. Johnnie Hagen Is Not Pictured

'Unseen department' performs vital work with BIA programs

In a sort of rabbit warren of offices divided by partitions and tucked at the end of a hall, five tribal employees wrestle with stacks of documents, ledgers, maps, printouts and all the other paperwork involved with perhaps the least well-known area of tribal operations.

Under the direction of Director of BIA Programs Ed Herndon, these people take care of the realty department, land operations, agricultural operations, credit and several other complex areas of the tribe's business. Much of this is never seen by tribal members, but these functions are crucial to the successful operation of the tribe.

Much of their expertise comes from the Bureau of Indian Affairs (BIA), which is the agency they must deal with in much of their current work. Herndon spent 22 years with the bureau in various capacities and so did other employees. Pat Wind is one of those, coming to the tribe after three years with the BIA. In her position with the Potawatomi tribe, she reviews applications for loans and grants to make sure they are complete and in compliance with regulations.

Brian Eddlemon, hired by the tribe soon after he completed his bachelor of science degree in agriculture. He has put that education to good use in working with the tribe's land operations. Among his duties are checking on lease compliance once a lease on tribal land has been negotiated, checking on improvements, preparing a farm plan if there's an agricultural lease

and checking on restoration of the land after an oil and gas lease.

But before that point, it's Sheridan who deals with the leases and other real estate matters. That's only for restricted Indian land, of course, that held in trust by the tribe or individual tribal members. "In the early 1890s, all those recorded as Potawatomis were allotted land," Herndon said. "As long as it is held in trust, we're responsible for it. Once it is no longer in trust, it can be disposed of however."

Sheridan, who retired from the BIA, becomes involved when tribal land is used for farming and grazing leases, rights of way, business leases, etc. And if an individual owner of trust land decided to sell it, "we would conduct the land sale," Herndon explained. There's not nearly as much of that land as there used to be. Herndon figures that tribal members originally got about 120,000 acres, and now there are only 74 tracts totalling a little over 5,335 acres in trust. Most of that is in agricultural use.

"Potawatomis are notorious for getting rid of their land," Herndon said. "They were able to sell a lot of it in the early 1900s, but now there are so many heirs that it's nearly impossible."

Johnnie Hagen helps Sheridan with her realty duties and other staff members with clerical work.

Herndon himself supervises those four people and reviews the \$250,000 worth of BIA contracts. "I see that they're in compliance and prepare quarterly reports," he said.

Continued, next page

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Staff Member of the Month



Ed Herndon At His Desk

He's a pro with federal programs

When tribes in the Shawnee area decided about a year ago to contract for services directly with the federal government instead of through the Bureau of Indian Affairs (BIA), the Potawatomi wasted no time in making sure that the tribe would have the expertise to handle the new challenges.

They did that by hiring Ed Herndon away from the BIA.

Herndon, 49, brought 22 years of experience on the other side of the desk to the tribe when he became Director of BIA Programs for the Citizen Band Potawatomi Tribe in January 1989. His experience with the BIA covered most aspects of tribal government operations as well as vocational education, elections and many other areas.

A native of Valiant, Okla., he is a Choctaw whose mother was a principal at boarding schools until her retirement from Jones Academy. He attended Northeastern State College in Tahlequah, graduating in 1964. After "a little rest," he went to work for the Riverside Indian School in Anadarko. In 1968, he began a two-year stint with the state welfare department, but came back to the BIA in 1970 to work in the adult vocational training program out of the Anadarko office.

He became assistant to the area adult vocational training officer in Anadarko in 1973 and with him offered technical assistance to the 23 tribes served by that office. "Then on July 4, 1976 — I'll never forget that date — I was detailed to the Shawnee agency as reservations programs officer," Herndon said. That job title is an old one, he said, retained in spite of the fact that there are no reservations in the Shawnee area.

In 1978, Herndon applied for and got the job of tribal operations specialist at the Shawnee agency. He held that post until the tribes decided to contract the BIA services last year. "I came here and was put in charge of all bureau contracts," he said, quickly adding that he didn't want it to sound like he did all the work on all those contract programs; there are lots of other tribal employees who do that.

What Herndon does is make sure the paperwork is in order. He reviews the contracts to make sure they comply with federal regulations, helps prepare budgets and reports and deals with the various problems that arise in tracking those applications and contracts.

The transition from the BIA to the tribe was smooth, he feels, in spite of the fact that the tribe has frequently been in some somewhat adversar-

ial situations with the bureau. In fact, having seen that from both sides gives him special insight to that relationship.

"I can see what the tribes have gone through," he said. "I hope I was more responsive to the tribes than some of the other BIA people were. I never had that kind of problem. And I would hope that's why I was offered this position. I knew tribes were having problems in certain areas, but I didn't realize how serious it was because I wasn't involved in them.

"Now that I'm here, I can see where there are problems," Herndon said. "But we have a good working relationship with the agency here, although the staff has dwindled to almost nothing. In the future, any help will have to come from the area (Anadarko) level. It's questionable how much help that will be."

Herndon's position makes it imperative that he keep up with changes in law, policy and even philosophy. Although the movement is supposedly away from federal management to tribal self-determination, Herndon notes that here are still "so many things that require BIA approval." And there's a new emphasis on the environment that having an impact on his job. Environmental assessments must be done when tribal land is leased, for instance.

And he's skeptical about the "New Federalism" which has been the topic many recent conferences and publications. "At face value and considering the monetary impact, it looks great," he said. "But so many of the programs are mismanaged. Who wants to take over a mismanaged program?" And he's concerned about the fate of the Indian Health Service (IHS). "The way I understand it, the money would go directly to the tribes and there would be no clinic at the Shawnee complex. Nobody seems to know who would serve who." But in the long run, he feels, "they could eliminate the whole bureau and it wouldn't bother me."

When he isn't helping guide the tribe through all these changes, Herndon is probably watching a ballgame. Spectator sports is the only pastime he could name. "I don't even have any pets," he said, "except an old yellow cat. And that belongs to my wife." His wife Samarian works in the optometry department at the IHS clinic. Their daughter Kristi is a junior at Shawnee High School and Keena is married and a flight attendant for American Airlines. "We think she may be the first full-blooded Indian to hold that job," he added proudly.

Department handles loans, grants, credits

From previous page

"I work with Becky on developing budgets or modifying them if necessary. And all that needs the approval of the BIA." He also serves as investment coordinator, keeping a close eye on the tribe's \$5,979,962.86 (as of Feb. 15) currently held in certificates of deposit. "When we want to withdraw any of that money, I have to process the paperwork," he said.

He keeps up with the tribe's ten contracts with the BIA — for credit and finance (that includes loans, grants, economic development grants, small business assistance), agriculture, realty, higher education, adult vocational training, direct employment, social services, law enforcement, the court, aid to tribal government and appraisals.

He and Pat also work with individuals and businesses applying for loans and grants. "I'm pretty proud of what we did last year in credit," he said. "We had \$580,000 in approved credit applications go through this office." Some of that money went to convenience stores, a video store, a barber and a refinery operated by tribal members. Not all are successful, but most are, and some are even nearing the point of repaying their loans.

Herndon often works with Dennis Jett, president of First Oklahoma Bank, in which the tribe owns controlling interest. Jett frequently reviews loan and grant applications for the tribe, "looking at them from a banker's point of view," Herndon said. But, he quickly added, no one is required to use that bank. In fact, "we don't recommend banks."

Although most tribal programs are only within the tribe's service area (between the North and South Canadian rivers on the north and south, the Seminole County line on the east and the Indian Meridian on the west), the business loans may be used in the Oklahoma City-Norman area as well. "That's been a no-man's land," Herndon explained, since it is no single tribe's service area. He also pointed out that the Potawatomi and Absentee Shawnee service areas overlap.

Those are support programs that some tribal members may not be eligible for or have an interest in. But Herndon also supervises what he calls "people programs," particularly the adult vocational training program and the higher education program.

"The social services programs are not being utilized much," he said. "They are open to tribal members as well as eligible Indians in the service area." The adult vocational training programs makes funds available to Indians going to school anywhere in the country and will pay transportation, a living allowance, and tuition. The direct employment program will pay travel expenses and a living stipend for those who have obtained full-time, permanent employment out of town or out of state.

As for higher education, "any tribal member, no matter where he lives, can apply for a grant. We only had one enrolled when we took the program over from the BIA," Herndon said. "With the fall term of 1989, we had 16. One has since dropped out, but we added about 12 for the spring semester. It's been quite successful."

That's an overview of what goes on behind the partitions in that "suite" of offices, where voices asking and answering questions float over the temporary walls as mountains of paperwork is processed daily. Although tribal members may not see the results of their efforts as they drive by the tribal complex, they can sure that Herndon and his staff are important gears in the machinery that keeps tribal government operating smoothly.



Letter from the chairman

Msen A Ken Eh Na Ka Nit

Bourzho, Niconi (Hello, my friends),

Since there have been, and soon will be, a number of changes in the management structure at the Tribal offices, it is important for each member of the Tribe to understand how our government is structured — and how that structure affects the administration of tribal business.

I'm sure many of you have asked: "Just who is in charge out at the Tribe, anyway?" Maybe this explanation will clear it up for you regarding the Chairman, and next issue I will describe the other executive offices.

According to the Tribal Constitution, the governing body of the Citizen Band Potawatomi Tribe is the General Council — which is all members who are of voting age. The General Council elects the

Business Committee and delegates to them the power to speak and act on behalf of the Tribe in all matters except claims against the United States and treaties with the United States. The Business Committee has five members: Three "Executive Officers," which are the Chairman, Vice-Chairman, Secretary-Treasurer, and two "Committeemen" (Article 7, section 1).

In Article 6 of our Constitution, the duty of the Chairman is to preside at all meetings of the Council and the Business Committee and "perform all duties appertaining to the office." Just as there has been in the United States governments, the simple wording in the Constitution takes on added meaning when viewed in the context of history. In other words: "What was has the power of this office been before?"

The rest of the language about the Chairman also has this clause: "The Chairman shall have general supervision of the affairs of the Council and of the Business Committee." Since I have been in and out

of office since 1971, I hope I can reflect on the history of the exercise of the authority of the office of Chairman with some accuracy. Some previous Chairmen, like my uncle Raymond Peltier, and Jerry Fox, Audie Pecore, Pete Veitenheimer and Paul Schmidkofer, felt that their job was to preside at the Business Committee meetings only, allowing all decisions to be made by the Committee.

Since the Committee has the power to reverse or direct the decision of the Chairman anyway (Article 7, section 2), and the tribe only had three or four Community Health Representative employees, this was workable. As the Tribe got more employees, the need for someone to act as a supervisor, under the "general supervision" language in the Constitution, became apparent. Paul Schmidkofer felt that the Tribal Administrator's job should be separate from the Chairman and resigned as Chairman to act as TA. Gerald Peltier, another uncle who was Chairman, functioned as both

until some Federal agency that was funding the tribal programs back then said it was a conflict of interest to use federal money to pay an elected official to work for the tribe. At this time, the tradition of the Chairman acting as supervisor for the hired staff, including the Tribal Administrator, came into effect.

Bill Burch, Wanita Clifford, and Leon Bruno all exercised this authority to varying degrees. In all instances it has been clear that the Business Committee had to power to stop an action by the Chairman in his capacity of supervisor of tribal administration, but that the management function was the Chairman's. This has been reinforced during my administration in the personnel policies and other documents. Presently, the hiring and firing of all staff positions, except Tribal Rolls Director, is under the authority of the Chairman. As a practical matter, this has been delegated by me to the two administrators, Bob Davis, Administrator for Enterprises, and Jim Young, Administrator for Federal Programs.

More about the other offices next issue.

Megwetch (Thank You)

John Barrett

John Barrett

Mohawk police prepared for confrontation

(From the Mohawk Nation's *Akwesasne Notes*, Late Fall 1989) — Roosevelt, NY: The Akwesasne Mohawk Police have prepared themselves for the next confrontation with the Mohawk Sovereignty Security Force.

Three of their patrol cars have been heavily damaged when they were rammed by the pro-gambling MSSF but now the officers have the means to strike back.

The Mohawk Council of Akwesasne spent close to \$100,000 (Canadian) to purchase three four wheel drive vehicles and install roll bars and steel bumpers around them. This, along with powerful new 8 cylinder engines, give the vehicles the ability to withstand any rammings by the MSSF.

In addition the vehicles have been painted jet black and have smoked glass windows, all of which give the new police trucks an ominous appearance.

The Mohawk Council felt the vehicles were a necessity given the attacks by the MSSF upon the only law enforcement agency left at Akwesasne.

Tensions here continue to be high as the gambling crisis continues. The Akwesasne Police have also stepped up their smuggling investigations resulting in the arrest of a number of individuals said to be MSSF members and the confiscation of tens of thousands of dollars worth of tobacco.

The MSSF is said to finance many of its operations through the illegal

importation of cigarettes from the U.S. to Canada.

The MSSF has recently shot at, attacked and threatened the Akwesasne Mohawk Police but

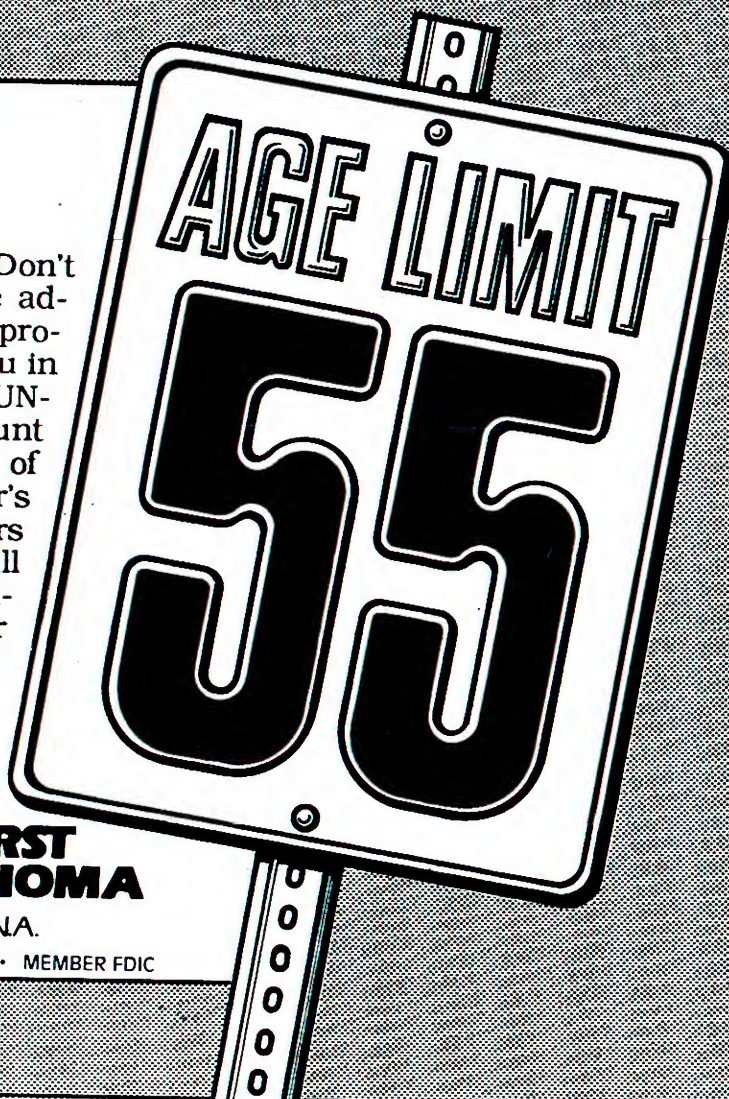
there have been no acts of violence since the new vehicles were purchased and five additional officers hired to patrol the 14,000 acres under the M.C.A.'s jurisdiction.

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In your opinion ...

HowNiKan

The HowNiKan is the lifeblood of information for our Tribe and I appreciate it enough to subscribe even though it is furnished to me as a member. In addition to the real tangible benefits we Potawatomis are fortunate in having a direct connection to America's earth. Our ancestry gives a sense of belonging to this country that non-Indians cannot feel.

I have just attended the January Regional Meeting in Santa Clara, California as a warm-up for the Pow Wow this year. This was my first meeting and I was glad to meet face

to face the fine gentlemen I knew only from the pages of the HowNiKan — Chairman Barrett and Jim Young. It was with real pleasure that I walked among the tables of over 200 of my brothers and sisters. I imagined I was walking around the campfires of early tribal days.

Recently the Tribe helped me greatly with a large grant for a hearing aid through the Health Aids Foundation. I would like to express my appreciation not only for the welcome financial help but also for the day to day routine administrative chores that are carried on for

the benefit of our tribal members.

As my personal finances improve, I intend to make contributions to our Tribe because in doing so I am contributing to myself.

Being a Potawatomis is much more than the tangible benefits; I am moved by the powerful feeling of being a Native American. I cried when I read chief Seattle's speech published in the HowNiKan.

In addition to the \$10.00 for the HowNiKan subscription, please distribute the remaining \$200.00 at your discretion.

Jack Wooldridge
California

Bachelor of Science Degree in Consumer Relations and Technology.

I then hope to enter graduate school and get a Masters Degree in Educational Counseling.

A special thank to Ed Herndon and Mary Farrell for their help.

I am very proud of my Indian heritage and hope to make you proud of me as a member of the Tribe.

I would also like to thank you for the help I received in getting my glasses. They have helped tremendously in my ability to read and study for school.

Sincerely,

Judith A. Shreve
Michigan

They received scholarships for the spring semester

The following have received scholarships through the tribal scholarship program for the spring semester:

Patricia Carson - Seminole Junior College
Kristen Nanna - San Francisco State University
Louana Kennedy - Rogers State College
Lore Kempton - Butler County Community College
Betty Howse - Oklahoma Baptist University
Richard Wolfe - Clark College
Bennie Megah - Albuquerque Technical Vocational School
Katy Merrihew - American Career College
Wynona Miller - Southwest Missouri State University
Matthew Bearden - Northeastern State University
Arletta May Robinson - Rogers State College
Stacey Lynn Smith - Shawnee School of Cosmetology
Lisa Johnson - Seminole Community College
Barney Robert Melot - Central State University
Darlene Louise Irvin - Washburn University
Thomas Michael Renyer - Cameron University
Katherine Lantagen - Central State University
Kimberlynn Quinn - Oklahoma State University Technical Branch
Deborah A. Brewer - East Central University
Raechelle Wamego - Tri-County Vo-Tech
Anna Burke - Seminole Junior College
Kathryn Delonais - Cameron University
Susan Kaye Hartman - Oklahoma City Community College
Jim Maxwell - Moore-Norman Vo-Tech
Harold George Haas - Metro Tech
Rozanne Marie Milehan - Columbus College
Dee Ann Fogle - Seminole Junior College

Stacie Diane O'Bright - East Central University
Deborah Ketchum - Santa Fe Community College
Kathleen Bea Goodman - University of Oklahoma Science Center
Philip Keith Pruner - Oklahoma City University
Vickie Fritchman - The Travel Institute
Michelle Lovell - Northeastern State University
Angelique Rhodd Williamson - Rose State College
Marilyn Lemond - Gordon Cooper Vo-Tech
Evelyn Patricia Blakely - University of Colorado at Colorado Springs
Gerald L. Blassingame - Eastern Oklahoma State College
Gayla J. Baylis - University of Oklahoma
Jera Collins - Mid-America Bible college
Julie Couch - Kansas City Community college
Jahn E. Humphreys - Mississippi College
Timothy T. Downing - Southwestern Baptist Theological Seminary
Marie A. Elkins - East Central University
Kristi Sue Fontenot - Central State University
Frances M. Johnson - Pittsburg State University
Michael Pendergraft - Wenatchee Valley College-North
Deborah Reinhardt - Tarrant County Junior College
Beverly Sanford - East Central University
Terri E. Shay - Dallas Community College
Judith A. Shreve - Western Michigan University
David Bryan Shanks - Missouri Southern State College
Marvilyn McManaway - University of Texas at Austin
Mark David Saunders - Murray State College
Jack Anthony Cedar - Tri-County Vo-Tech
Martin Steinmetz - University of Tulsa College of Law

A word of thanks 'for all you've done'

Dear Citizen Band
Potawatomis Tribe,

I would like to take this opportunity to thank you for everything you have done to help me.

The federal grant money and the scholarships helped to make it possible for me to return to Western Michigan University. During my first semester, I have achieved a 4.0 grade point average, and will graduate in April, 1990 with a

Tribal aid helps with her education

To The Potawatomis
Indian Scholarship Committee,

I take this opportunity to say thank you, also offer my gratitude for the award so that I may continue my nursing education. Without this award, I would not be able to continue my education.

Thank You,

Lore Spencer Kempton
Kansas

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\$1000 Progressive
Tribal Jackpot

\$5000
Lotto Bingo

\$2000
U-Pik-Em

\$2000
Progressive
Bonanza

Minis Start At 6:15 - Session 7:30 - Hardesty Road Between U.S. 177 & Gordon Cooper

POTAWATOMI TRIBAL



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1980 Census Results Finally Released

Potawatomis among top five Tribes in education, income

Potawatomis are among the top five Indian tribes in terms of percentage of high school graduates, labor force participation and median family income, according to statistics just released by the Census Bureau.

The report, based on the 1980 census, was released just two months before the 1990 census will be taken. It was the last report to be completed before the new census, and while the data had been published previously, the tribal breakdown had to wait because of budgetary restraints, according to the bureau.

The census counted a total of 1,478,523 American Indians. The first report listed the Cherokees as the largest tribe, but the Navajos immediately protested, saying that misleading tribal enrollment procedures might be at fault for the discrepancy. The Cherokees agreed that they are actually second. The Navajos say their current enrollment is 219,000, while the Cherokees claim 102,000.

The first census report listed the Cherokees at

232,080 and the Navajos at 158,633, followed by the Sioux at 158,633; Chippewa at 73,602; Choctaw at 50,220; Pueblo, 42,552; Iroquois, 38,218; Apache, 35,861; Lumbee, 28,631; and Creek, 28,278. Those numbers are based on how people responding to the census identified themselves, not on tribal enrollment numbers. Current Citizen Band Potawatomi enrollment is about 17,000.

The Navajos noted that Cherokees may be as little as one-thousandth Cherokee while they require at least one full-blooded Navajo grandparent for enrollment. The Navajos have also long claimed that they were undercounted in the 1980 census, partially because of confusion among tribal members.

Chickasaws registered the highest median age, 27.6 years, while the Comanches had the best high school graduation rate at 68.4. The Blackfoot tribe had the highest rate of labor force participation and the Tlingit Tribe, many of whom live in Alaska, had the highest family income. The

greatest poverty rate was among the Navajo.

Here are statistics for the top ten in some categories:

Median Age (U.S. 30.0): Chickasaw, 27.6; Cherokee, 27.3; Choctaw, 26.1; Iroquois, 24.9; Blackfoot, 24.6; Potawatomi, 24.5; Creek, 24.4; Comanche, 23.7; Seminole, 23.5; Lumbee, 22.4.

Percent High School Graduates (U.S. 66.5): Comanche, 68.4; Kiowa, 68.1; Creek, 65.1; Potawatomi, 65.0; Tlingit, 64.7; Seminole, 64.4; Chickasaw, 63.0; Crow, 61.2; Cheyenne, 60.3; Iroquois, 59.9.

Labor Force Participation (U.S. 62.0): Blackfoot, 65.3; Potawatomi, 63.2; Seminole, 62.4; Cherokee, 61.7; Iroquois, 61.4; Comanche, 61.3; Lumbee, 60.8; Creek, 60.7; Choctaw, 60.5; Chickasaw, 59.4; Tlingit, 59.4.

Median Family Income (U.S. \$19,917): Tlingit, \$20,033; Chickasaw, \$16,311; Potawatomi, \$16,286; Comanche, \$15,662; Creek, \$15,287; Iroquois, \$15,079; Cherokee, \$14,809; Choctaw, \$14,542; Blackfoot, \$14,424; Kiowa, \$14,051.

Discovery of unique Indian gene may help transplants

Scientists have sorted from the great galaxy of genes — 100,000 or so of them, which dictate human characteristics — a single gene unique to American Indians, according to a story in The Arizona Republic.

Although other ethnic groups, such as blacks and Hispanics, also have unique genes, such material does not determine one's race, said Robert C. Williams, an Arizona State University anthropologist.

"There are no racial genes," he said. "It's impossible to come up with one set of traits that is shared by all persons within what people call a race."

The primary importance of the discovery of the American Indian gene, Williams said, is that it should improve organ transplants among American Indians.

"The trick in a transplant is to match as many genes as possible" between the organ donor and the recipient, Williams said. "In order to match them, you have to know what genes are present."

Whether a body rejects a transplant depends mainly on the compatibility of a specific set of genes called the histocompatibility lymphocyte antigen, or HLA, system.

It was in that system that Williams and his colleagues located the peculiarly Indian gene they named BN21.

"It's different probably because of a mutation that occurred sometime since the Native Americans have been on the North American continent," he said.

"The gene is not found, to our knowledge, in Asia, where they originated."

Most anthropologists believe American Indians came from Asia over a land bridge that existed thousands of years ago between

what is now the Soviet Union and Alaska.

Researchers also should be able to employ the new gene as a versatile tool in anthropology.

Among other things, "one can look at different admixtures" among ethnic groups, Williams said.

It is "highly unlikely," he said, that the gene will "be present in large frequencies" in people without Indian blood.

"We think it is highly restricted to Native Americans and Mexican-Americans," Williams said.

Less than 3 percent of members of the latter group have the gene, and those have it because of intermarriage between Indians and Mexicans, Williams said.

He has assessed the genetic variations among Indians and Hispanics in the Southwest since he came to the Tempe campus in 1978. He also has been a laboratory director at Scottsdale's Blood Systems Inc., a blood bank, where he conducts much of his genetic work.

In identifying the new gene, Williams was assisted by other scientists around the world.

But he himself found the gene in "more than 1,000" blood specimens from Navajo, Hopi and Pima patients at federal Indian Health Service hospitals in Phoenix and in Sacaton in Pinal County.

Removal of Crow official upheld by special judge

(From *The Lakota Times*, Jan. 16, 1990) — A special judge handed down a decision late last month that removed suspended Crow Tribal

Secretary Clara Nomee from office.

Both sides in the long-running fracas between Nomee and elected chairman Richard Real Bird agreed to submit various points of their dispute to arbitration in the tribal court of Judge Andrew Small of Billings, Montana, said Tom Towe, the attorney for Nomee.

Nomee's primary complaint was that she had been suspended on a voice vote and denied a chance to speak in her own behalf.

Small ruled the council's suspension of Nomee valid, in effect sweeping aside the five other complaints Nomee and her lawyer had asked him to hear. The four other points related to procedural and constitutional issues proceeding from the actions of Nomee and her faction since her suspension.

Ada Deer named chairwoman of Menominee Tribe

(From *Masinigan*) — By a unanimous vote of the Board of Directors, Ada Deer, a nationally-recognized Indian leader and member of the Menominee Tribe of Wisconsin, was elected Chairwoman of the Native American Rights Fund (NARF). NARF is the nation's largest Indian legal rights organization and is headquartered in Boulder, Colorado. Deer replaces outgoing leader, Norman Ration, a Navajo-Laguna Indian from New Mexico who until recently headed Navajo Legal Services.

Ada Deer has an extensive background in public service, both in Wisconsin and nationwide. She ran for Secretary of State in the Democratic Primary in Wisconsin in

1977 and 1982. Deer is currently President of the Wisconsin Chapter of the National Association of Social Workers and has served on numerous local, state and national boards including Common Cause, Girl Scouts of the U.S.A., the American Indian Scholarship Program and Housing Assistance Council. In 1982 she was among 18 women honored by the Wonder Woman Foundation.

Hopi lands play role in creation of video

(From the Hopi *Tutu-veh-ni*, January 1990) — The Hopi lands played a major part in the creation of a music video produced for a newly released album called, "Requiem for the Americas."

Conceived and composed by music producer Jonathan Elias, Requiem is a musical celebration of the spirit and vision of Native Americans.

Majority of the filming took place at several locations throughout the Hopi reservation in Arizona. The video and music is rooted in Elias' sensitivity to the relationship between sound and image. These images were produced on Hopi land with the help of Hopi cast members and Hopi buffalo dancers and Eagles dancers showing the traditional values the Hopi continue to maintain.

Two videos were produced to help sell the album. One a 7 minute film, composed of portions of songs and poetry readings from the album and a version from the single off the album titled, "Far Far Cry."

Jonathan Elias who is also featured in the videos, visited the Hopi reservation to film his segments of the film. The video also features performances by Jon Anderson, Grace Jones and Simon LeBon.

NATIONAL NEWS

THE 1990 CENSUS

Head count is exceedingly important to you — and your Tribe

The upcoming United States census is important to native Americans and Citizen Band Potawatomi leaders are urging all tribal members to fill out and return their 1990 census forms.

The forms are scheduled to go in the mail on March 31 and must be completed and returned to the Census Bureau by April 1. Most people will receive a 14-question short form but one in six will get a 59-question long form.

Potawatomi officials pointed out that the census is important for several reasons. Among those are:

- ✓ The government needs to know how many Indians are living in the United States.
- ✓ The government needs to know how many Indian households are represented in the U.S.
- ✓ Funding to Tribes and other organizations over the next 10 years will largely be based on information compiled by the census.
- ✓ The census will enable the government to compile statistics detailing age, race, sex, location, etc. These statistics will enable the government to establish education,

Make sure you are counted as a member of the Citizen Band Potawatomi Tribe. Mark this area on your census form, then in the box below, write "Potawatomi - Citizen Band."

4. Race
Fill ONE circle for the race that the person considers himself/herself to be.

If Indian (Amer.), print the name of the enrolled or principal tribe.

If Other Asian or Pacific Islander (API), print one group, for example: Hmong, Fijian, Laotian, Thai, Tongan, Pakistani, Cambodian, and so on.

If Other race, print race.

☐ White
☐ Black or Negro
☐ Indian (Amer.) (Print the name of the enrolled or principal tribe.)
☐ Eskimo
☐ Aleut
☐ Asian or Pacific Islander (API)
☐ Chinese
☐ Filipino
☐ Hawaiian
☐ Korean
☐ Vietnamese
☐ Japanese
☐ Asian Indian
☐ Samoan
☐ Guamanian
☐ Other API
☐ Other race (Print race)

health and housing needs of all Americans.

The question pertaining to race is of extreme importance to you and your Tribe, officials pointed out. Answers to this question will be used by the government to deter-

mine the number of people in a Tribe and those figures will be used in allocating funding. However, an individual will be allowed to count only one Tribe or race.

A sample of the 1990 census questionnaire accompanies this

article. If you want to be counted as an Indian, be certain you don't mark "white" or any other race. Instead, mark "Indian" and print the name of your Tribe in the space provided for that purpose. Members of the Citizen Band Potawatomi Tribe should print "Potawatomi - Citizen Band."

Remember that the forms will be read by a computer. If you mark "white" or "black" (both of which appear before "Indian"), the computer will read that mark and skip to the next section even if you also marked "Indian." The computer will count only one mark in a section and it will count the first mark.

Those who receive the 59-question long form also will be asked who is the head of the household. If, for instance, the wife is an Indian and the husband is not, her Tribe will receive more benefits if she is listed as "head of household." If the husband's name appears as "head of household," the wife and children will receive credit as being Indians, but the household will be counted with the race of the husband.

Census May Become A Bigger Mural For School

The picture the Institute of American Indian arts is painting for the 1990 census may become part of a bigger mural for the evolving arts school.

The Institute, under an agreement with the U.S. Census Bureau, is serving as a mini advertising agency to promote the 1990 census to American Indians and Alaska Natives. The school has developed promotional buttons and posters and is now working on radio and TV production.

The agreement marks the first time the school, located in Santa Fe, N.M., has undertaken a media and promotion campaign for an outside agency.

"Our goal is to do the best job we absolutely can. We are striving for professionalism and in doing so we are demonstrating to students how art can become marketable," said Institute faculty member George Burdeau, who is coordinating the IAIA census promotion project.

Art has always been an important form of communication for native peoples, said Burdeau. In creating five full-color posters for the census, the Institute relied heavily on images and symbolism to impart the importance of an accurate census count to American Indians and Alaska Natives.

"We're a society of symbols," said Burdeau, a Blackfeet Indian. "If the right symbol is presented, it



Art Student David John Signs A Print Of His Work, "Let Our Voices Be Heard"

begins to open doors."

Buttons carrying the slogan "Listen to the Drum - Answer the Census" were also designed by the Institute for distribution at powwows, conferences and other events prior to Census Day, April 1, 1990. The drum theme, like others selected to promote the census, was intended to appeal to a very diverse population.

"Most Indian and Alaska Native communities can identify with the

drum and its significance. The drum brings people together at powwows and other gatherings. The census Bureau has chosen the drum to signify how everyone benefits by having an accurate count," said Laverne Sheppard, the census bureau's media specialist for American Indians and Alaska Natives.

The Institute will draw upon the expertise of film maker, writer and artist Larry Littlebird, a Santo Domingo Pueblo Indian, in production of materials for radio and TV. The concept is to use age-old storytelling characters-like Coyote-and native actors in real-life situations to convey the census message to American Indian and Alaska Native audiences.

"Storytelling has always been a way for native people to educate and inform one another. Experts are just beginning to understand guest how powerful storytelling is as an educational tool," said Littlebird.

Radio and TV public service messages developed by the Institute will emphasize the confidentiality of the census and the importance of having accurate population and housing information. Uses of census data include community planning, political representation at all levels of government, and the allocation of billions in federal funds to state, tribal, village, and other local governments.

Littlebird and Burdeau were two of the Institute's first graduates to embark on broadcast careers. Prior to returning to the school this year, Burdeau was a producer and director in Hollywood, where he worked on shows such as *Entertainment Tonight* and *That's Incredible* and had a hand in hundreds of films and documentaries.

His vision today is to interest more American Indians and Alaska Natives in the field of broadcast production. Besides heading up the census project, Burdeau is teaching a communications class and is working towards expansion of the school's communications program so that students can receive hands-on training in radio, video and film production.

"There's a definite need to interest more Indians in broadcast careers," said Burdeau. "Almost everything being produced today is done by non-Indians."

Eventually, Burdeau envisions the school becoming a center for the development of radio and TV programs to entertain, educate and inform the First American.

The school, officially known as The Institute for American Indian and Alaska Native Culture and Arts Development, was founded as a Bureau of Indian Affairs program in 1962. Last year, the school became a private institution governed by an independent board of trustees.

SHABONEE

A POTAWATOMI LEGEND

"The story of how Shabonee saw his leader, Tecumseh, fall, killed by a 'butcher knife which spit fire' (in the words of Shabonee) and why he from that time on dedicated himself to the aid and protection of the white people is one which has long been familiar to me."

"That was a ride fit to be glorified in poetry beside the midnight ride of Paul Revere. Ay, it was more God-like. Revere rode to save his friends. Shabbona rode to serve an alien race, most of whom had proven themselves to be enemies of his people."

"It ought to be a matter of regret and mortification to us all that our Government so wronged this man, who so often periled his own life to save those of the whites, by withholding from him the title to the land granted him under a solemn treaty."

By Mrs. Alta P. Walters, Atkinson, Illinois
Illinois State Historical Society

My earliest childhood recollections include many mind pictures of Shabonee and his camp in the woods back of our house; these pictures painted by my grandfathers' recital of his experiences with this celebrated Indian chief.

My Grandfather Porter came to Henry County from Stark County in the spring of 1842 and settled on a section of land in Cornwall township in the west end of Shabonee's Grove. He built his log cabin on the same eighty where Shabonee and his tribe pitched their camp among the sugar maples, and for a period of seven years enjoyed the annual visits of these Indians during sugar-making time. I have often seen (in mind) the old chief or his squaws stalk in uninvited or wrap themselves in their blankets and sleep on grandfather's porch.

The old sugar camp in our Grove in my day still bore marks of use by these Indians and many times have I pictured in fancy their peopling those beautiful hills and vales and imagined their various activities there.

The story of how Shabonee saw his leader, Tecumseh, fall, killed by a "butcher knife which spit fire" (in the words of Shabonee) and why he from that time on dedicated himself to the aid and protection of the white people is one which has long been familiar to me.

There are no doubt many people in this vicinity who have like memories. One of these is Mrs. Elsa Hume Taylor, whose mother told her many experiences of the old days and of her personal acquaintance with Shabonee. On one occasion when sitting by her mother's bedside she took down word for word one of these accounts, as follows:

"Old Shabbona, Chief of the Pottawatomies, was a fine specimen of one of Cooper's Indians, dignified, honest and just, and straight in appearance as an arrow. About 1836 the tribe was located near Chicago, also some divisions of them were in the Indian territory. A portion would go back and forth every year or so. The chief and his family, advisors, etc., were of this number. Sometimes they camped near Green River, sometimes at Shabbona Grove or by Spring Creek. Old Shabbona endeared himself to

This article originally appeared in the Illinois State Historical Society Journal in October, 1924, and is reproduced here with permission of the Illinois State Historical Society.

many of the old settlers and was always honorable, his word being worth more than many a white man's bond.

"At one time an Indian of some tribe hostile to the Pottawatomies had a quarrel with Shabbona's son-in-law, John and swore to kill John. He apparently followed them over the prairies for months, biding his time, but was himself found dead in the brush by some white man.

"Suspicion fell on John, as it was known that both had sworn to kill on sight. He was arrested but Shabbona immediately gave his word that if John was allowed his freedom daytimes that he should come back to the whites each night for safekeeping and that he would guarantee John's appearance for trial.

"Know and Drury of Rock Island were their attorneys. Louis Webber was then sheriff of Henry County. To show his confidence in these people, let me say that the day before the trial. Shabbona came to him saying, 'Let John and my men go with me to Shabbona Grove to a camp-fire tonight. We will be back by eight o'clock tomorrow morning.' And Webber let them go.

"About fifteen minutes before eight, way across the open prairie could be seen the Indians coming at a keen lope on their ponies in single file, Shabbona leading, and promptly on time, with a whirl of dust and a flourish, up came these Indians to the court house ready for trial. It could not be proved that John had killed the other Indian although nearly all were convinced that he did it but possibly in self-defense. In fact, John had told one of the women here that he did it and showed her the scalp but the woman and her little girl were so frightened they did not then tell of it. The little girl was later Mrs. Harriet Miller of South State street, Geneseo,



Courtesy, Chicago Historical Society

Illinois." -Told by Mrs. Hume.

In the History of Henry County, page 112, the author, Henry Kiner says: "A grove south of Atkinson is called Shabbona Grove. It is one of the few groves in our State that does not flourish on the bank of the stream.

"Shabbona was much about Ottawa and Morris, the county seats of LaSalle and Grundy Counties. The graves of Shabbona and his wife are in Morris beside a business street, for a long time marked only by a cedar pole. The citizens of Morris afterward erected a fine monument to the memory of the old chief who had ridden three ponies to death warning their forefathers that Black Hawk was starting on the war path. That was a ride fit to be glorified in poetry beside the midnight ride of Paul Revere. Ay, it was more God-like. Revere rode to save his friends. Shabbona rode to save an alien race, most of whom had proven themselves to be enemies of his people.

"The white people recognized the God-like nature of Shabbona's deed. The old chief was welcome to enter any store, take what he fancied, and go his way. His fancy found gratification in tawdry gimcracks more than in expensive goods. When hungry, he would enter a hotel or restaurant, eat his fill and nothing to pay. He rode on trains when and as far as he wished. He was troublesome but once.

"A party of ladies were having an afternoon social gathering at the home of one of their number in Ottawa when Shabbona happened by. He was invited in and treated to ice-cream and cake. Then one of the ladies in a spirit of fun told Shabbona that if he would pick out the prettiest lady present he could have her.

"Yes, yes, he can have her," shouted the gay throng, all excited with the anticipated mirth. The old barbarian's eyes quickly darted at Mrs. Eames, an exquisitely beautiful woman. He pointed at her. Gay was the laughter and Mrs. Eames, blushing and confused, was the center of a joyful group when the old savage came grimly elbowing his way through. He seized the lady by the arm and commanded her to come. A blight fell upon the mirth; cheeks went white. 'It was all in fun, Shabbona,' faltered the

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hostess. But the old barbarian did not understand fun that was founded on a lie. They had told him he could have this woman. He wanted his own. Consternation, desperation, followed. On the plea that the lady must go upstairs to get her wraps she got away from him. Shabbona lingered. He soon felt that he had been made a fool of. He was exceedingly angry. He went away muttering threats. Afterwards the best friends of Shabbona, old merchants and others, partly convinced Shabbona that it was all innocent fun with no intention of making a laughing stock of him. But the lady he had chosen left Ottawa for a time and when she returned was careful to not meet her savage admirers." -History of Henry County by H.L. Kiner.

These two narratives serve to illustrate Shabbona's dominating characteristic, integrity. He was also of a "generous and forgiving nature, always hospitable and, until his return from the West to find his home gone, a strictly temperate man, not only abstaining from all intoxicants himself but influencing his people to do the same.

"He had an uncommonly retentive memory and a perfect knowledge of this western country. He would readily draw on the sand or bed of ashes quite a correct map of the whole district from the lakes west to the Missouri River, giving general courses of rivers, designating towns and places of notoriety even though he had never seen them." -Col. G.S. Hubbard in narrative given as addendum to Hickling's biographies.

To Shabbona the early settlers of Illinois owe a lasting debt of gratitude. His aid and friendliness to the whites was untiring and unswerving. Because of his efforts in saving the lives of the whites, the Indians through reproach called him the "White Man's Friend," and made repeated threats to kill him and twice came near carrying them out. They killed his son and his nephew and hunted him down as if he were a wild beast.

For his aid to the settlers the Government awarded him two sections of land at Shabbona's Grove in DeKalb County and a pension of two hundred dollars, but one time, during his absence with the rest of the tribe on a reservation west of the Mississippi, a lot of speculators, willing to profit even over the gift of a grateful country to one who had saved the lives of scores of its frontier colonists, succeeded in representing that Shabbona had deserted his reservation and it was sold at auction.

"It ought to be a matter of regret and mortification to us all that our Government so wronged this man, who so often periled his own life to save those of the whites, by withholding from him the title to the land granted him under a solemn treaty." -Col. Hubbard.

William Hickling, Esq., presented to the Chicago Historical Society, July 17, 1877, a document which had been carried by Shabbona for years and which Shabbona had finally given to him. This document reads as follows: "This is to certify that the bearer of this name, Chamblee, was a faithful companion to me during the late war with the United States. The bearer joined the late celebrated warrior, Tecumseh, of the Shawnee Nation in the year 1807 on the Wabash river and remained with the above warrior from the commencement of the hostilities with the United States until our defeat at Moravian Town on the Thames, October 5, 1813. I also have been witness to his intrepidity and courageous warrior (conduct) on many occasions and he showed a great deal of humanity to those unfortunate sons of Mars who fell into his hands. Amhurstburg, August 1, 1816. B. Caldwell, Captain I.D."

At the time of the presentation of the above document, a request was made that Mr. Hickling furnish a biographical sketch of the two persons whose names appear, "Billy Caldwell" and "Chamblee."



Courtesy, Chicago Historical Society

Oil Painting Of Shabonee

...By E.S. Webber In 1859

As "The Sauganash" is spoken of frequently in the biography of Shabbonee, I will first include the following explanation of the term; also, a brief sketch of the one to whom it refers as given in the biography of Caldwell by William Hickling.

"The Sauganash" was the Indian name by which Billy Caldwell was generally known and means "The Britisher," but this name of Sauganash was generally given to all Englishmen by the Indians when speaking of them individually. Caldwell was born in Canada about the year 1780. His father was an Irish officer in the British military service and his mother a Pottawatomie.

He was given a good education by the Jesuits at Detroit and was able to speak and write fluently both the English and French languages and was also master of several Indian dialects.

Because of his fine physique, strong, sinewy and straight as an arrow, his fellow Indian braves also called him "Straight Tree." From about the year 1807 up to the time of Tecumseh's death, Caldwell was so intimately acquainted with Tecumseh that he was often called the private secretary of that great chieftain. He no doubt aided Tecumseh considerably, when in council with the British officials, to arrange plans of co-operation between the British forces and their Indian allies, as Tecumseh spoke but little of the English language. He also aided in furthering the gigantic plans of Tecumseh to consolidate all the Indian tribes of the West and Southwest into one grand hostile confederacy against the United States. We have unquestioned authority to state that Caldwell, Tecumseh and Shabonee used all their influence and did all that lay in their power to mitigate the horrors of savage warfare in restraining the fury and ferocity of the Indians toward the unfortunate captives who fell into their hands.

One notable instance of this character was seen in the events following the massacre of part of the garrison at Fort Dearborn in 1812. The few soldiers and civilians spared from the the first burst of savage fury would undoubtedly have been subsequently murdered had it not been for the timely presence on the scene and protecting care of the "Sauganash" and Shabonee, neither of whom were

present at the evacuation of the Fort and the assault of the Indians on the retiring soldiers. Later, Caldwell and Shabonee again averted disaster for the inhabitants of Fort Dearborn by persuading the Pottawatomies not to join in the Winnebago war in 1827. Col. G.S. Hubbard gives a very vivid and interesting account of Shabonee's diplomacy in this connection in his narrative presented to the Chicago Historical Society in addition to and corroborative of William Hickling's biographies.

The following is the biography of Shabonee as presented to the Chicago Historical Society by William Hickling with but few omissions:

Shabonee was called "Chamblee" by the French and this orthography of his name is used by Billy Caldwell in his certificate of character and good qualities given to him at Amherstburg in 1816. In early times his name was frequently written "Chabo-neh." Our friend, G. S. Hubbard, Esq., and also the late John H. Kinzie, very good authority, frequently used the letter "C" in the spelling of his name instead of "S" subsequently and now by general consent used.

The old document of the year 1816 which is now presented to the society I became possessor of in the summer of 1858. The old chief in one of his frequent visits to my home in Ottawa told me he had a paper written by the "Sauganash" many years before and that he would now give it to me, stating at the same time that no other white man "on this side of the border" had ever seen it. This assertion I subsequently showed it to several of our old citizens including the late George E. Walker and Col. G.S. Hubbard, both of whom I well knew were most intimate friends of the old man, I found to my surprise that not one of them had ever before seen the document.

Why the poor old Indian kept for so many years the paper as a secret from his most intimate white friends I cannot tell. At the time he surrendered the paper to me, he took it from a piece of dressed buckskin which was folded several times around it. The package, he told me, he had carried for many years about his person and the "sweaty" appearance of the document verifies the assertion.

So many notices and memoirs of Shabonee have already been published that I hardly think it necessary to go into the history of his long life. I shall merely allude to some incidents thereof which have not been recorded and to some others erroneously stated.

The father of Shabonee belonged to the Ottawa tribe, a portion of whom at the time of Pontiac's great conspiracy against the United States inhabited a portion of that section of country lying south of Lake Superior now included in northern Michigan. He was one of that numerous band of Ottawas who fought with the great Ottawa chieftain throughout his wars and upon his defeat returned with him to the Illinois country in the year 1764. Shabonee told me he was born near the Maumee River in Ohio about the year 1775. Some published accounts say that his birthplace was "in Ohio," "on the Ohio River," "on the Kankakee," etc.

In early manhood he married the daughter of a Pottawatomie chief whose village was on the Illinois River bottom a few miles above the present city of Ottawa in this State. He lived at this village a few years but finding this locality to be insalubrious, moved with his family or band to what is now known as Shabonee Grove, a most beautiful "Prairie Island," situated in the southern part of DeKalb County, some twenty-five miles north of the city of Ottawa, before mentioned. Here he and his band had their village and council house and resided there until the fall of 1837, at which time they numbered all told some 130 souls. His own family included two wives, children, grandchildren, neph-

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ews, etc., amounting to some twenty-five of their number.

Shabonee's first acquaintance with Tecumseh commenced about the year 1807. It is probable that he knew the "Sauganash" at an earlier date. In 1810, when the great Shawnee chief accompanied by Caldwell and two others visited the Pottawatomie villages in the Illinois country for the purpose of inducing them to join in his great consolidated scheme of hostility against the white men in order to check their further encroachments upon Indian territory, he induced Shabonee to accompany the party on their mission, and together they visited the scattered tribes in the valleys of the Illinois, Fox, and Rock Rivers, thence via Green Bay and Wisconsin River as far northwest as La Crosse and thence south as far as Rock Island. At this point Shabonee left his companions and returned home to his Grove.

During this trip, many of the villages of the Sacs and Foxes, Winnebagos, Menominees, etc., were visited. It is hardly necessary for me to state that Shabonee held in the highest estimation the genius and military qualities of his great leader, Tecumseh, attaching himself and his followers to his service and sharing with him the fortunes of war, which at the end of his career so fatally culminated at the battle of the Thames. Shabonee, in this his last fight with the "pale faces," was in the hottest of the combat, fighting heroically by the side of his leader when the fatal bullet in its mission destroyed forever all the hopes and expectations of him who has justly been called the "Napoleon of the Red Skins."

Shabonee, like his friend Caldwell, now having lost all faith in the power and promises of their British allies, never again associated with them in any military capacity but a short time afterwards visited General Cass at Detroit and to him gave in their submission to the authority of the United States. I will not venture here to discuss the vexed question of "who killed Tecumseh" but will state that Shabonee, who, we must remember, was fighting by the side of his leader, has given different versions of that affair, all tending, however, more or less, to the belief that Col. Richard M. Johnson was the man; but upon an examination and comparison of the different statements made by the old chief, I have come to the conclusion that his ideas and memories of the battle, particularly in relation to the killing of Tecumseh, "are much mixed," and not of a character sufficiently accurate to be placed on record as correct history.

Some years afterwards, when on a visit to Washington City, at the time the gallant Colonel Johnson filled the high office of Vice-President of the United States, it is said in an interview at that time between Colonel Johnson and Shabonee, they freely talked over the incidents and events of the campaign and the final battle which ended gloriously in favor of the heroes of General Harrison's army.

The next and last attempt made to embroil the Pottawatomies and Ottawas in a war with the "pale faces" was that made by Black Hawk and the Prophet in 1832. These two chiefs representing the Sauk and Fox nations met the Pottawatomies and Ottawas in council at Indiantown (now Tiskilwa, Illinois) in February of that year and eloquently pointed out to the large number of Indians assembled there the necessity of co-operation in order to save their nations from the further encroachments of the white men upon their hunting grounds, for at the time emigration was fast spreading over the rich prairies of northern Illinois and eastern Iowa. In that large assemblage, the voice of but one Pottawatomie chief was raised in favor of war and union with Black Hawk and that was given by old Wau-pan-seh.

In that council, Shabonee, in answer to that fer-



Courtesy, Chicago Historical Society

Daughter, Granddaughter and Son-In-Law Of Shabonee

vent appeal of Black Hawk for union, and his figurative assertion that such a union would give them an army of warriors equal in number to the trees of the forest, replied: "Yes, and the army of the pale faces you will have to encounter will be as numerous as the leaves on those trees."

At the period of this conference probably no other chief excepting Caldwell possessed greater influence with the tribes assembled than did Shabonee and these two leaders so well knew the power and military resources of the white race and how futile it would be to engage in another war with them. The mission of Black Hawk and his Prophet companion proved a failure, but one chief and a few of the young warriors lifted up their voices for war. The warlike feelings of those few were appeased by the powerful influence of the "Sauganash," Shabonee, Robinson and others.

Subsequently when Black Hawk and his band crossed over to the east side of the Mississippi, and just before the commencement of his foray on the white settlements, he made one more attempt to secure a union with the Pottawatomies and sent his runners or emissaries to visit Shabonee who at this time with his band were encamped on a hunting expedition in the Bureau Timber. Shabonee here again rejected all offers of alliance made by Black Hawk. Seeing that hostilities must soon commence, Shabonee broke up his hunting camp and returned home to his Grove. Shortly afterwards, the defeat of Major Stillman's forces followed and opened a clear path for the hostile Indians to make a foray upon the settlements. This Shabonee foresaw; and here the goodness of his heart, his humanity, and desire to avert the horrors of savage warfare are shown in the arduous and disinterested efforts made by him in behalf of the few white settlers so soon to be exposed to savage fury. Immediately, he sent his son and nephew to notify the scattered settlers on the Fox River and at Holderman's Grove of their great danger, urging them in all haste to leave their homes and seek the sheltering walls of the fort at Ottawa. The old chief, himself, undertook the task on his mission of mercy, to warn the settlers of Bureau and Indian Creek of their great danger. His appearance on that sixteenth day of May riding at full speed bareheaded, his pony heated and jaded by the long ride through the scattered settlements, has been

well described by other writers. Nearly all the persons interested followed Shabonee's advice and fled in haste to Ottawa, leaving their homes but a few hours in advance of the entry of the hostile Sauk. A few persons, however, in the Indian Creek settlement took no heed of Shabonee's warning and paid in a few hours afterwards the penalty of their rashness, by all their party, excepting four persons, being massacred in the one log house in which they had sought refuge and which they so heroically defended.

During the heat of the fight, two young men of the party escaped from the house and reached the fort at Ottawa in safety. The capture, long journey and captivity in western Iowa, of the two young daughters of Mr. Hall, one of the party murdered, and their subsequent safe restoration to their friends, forms a romantic story of frontier life well known to the readers of western history.

The same treaty which gave to Caldwell, Robinson, and others of our Indians and half-breeds, their reservations of land, also gave two sections to Shabonee. This he desired to be so located that it would include his old home and council house in the Grove before mentioned. By direction of Major Langham, then Surveyor-General of Illinois and Missouri, a survey and plat of the reservation was made by a deputy surveyor and Shabonee fondly hoped that the home which he and his family had occupied for so many years was secured to them forever.

I believe that in all the other reservations of land granted by the aforementioned treaty that all the parties thereto having such reservations enjoyed them in fee and only required the consent of, and signature of, the President of the United States in order to pass a good title to parties purchasing such reserved lands. Why Shabonee's case should differ from all the rest, I could never determine. At any rate, when the survey of the public lands lying north of the old Indian boundary line was ordered by the Land Department to be made, the deputy surveyor had instructions to ignore the previous survey of the reservations, and include the lands thereon contained in the regular section lines of the United States survey, and during the absence of poor old Shabonee and his family in Kansas, these lands were sold by public sale at Dixon. The home of the old chief and his family passed into other hands, strangers to him, and in answer to an appeal made at Washington in Shabonee's behalf the Commissioner of the General Land Department, in answer, said that Shabonee had forfeited and lost his title to the lands by removing away from them.

In 1837, Shabonee was notified by the Indian agent, that by the terms of the late treaty all members of his band with the exception of his own family, must remove to their new reservations in western Missouri. The parting with so many of those with whom he had so long been associated, he could not endure, so he resolved with all his family to accompany them to their new homes. In the fall of the year, the whole tribe, some 130 in number, reached their reservation in safety; but no sooner had Shabonee and his family reached their lodges in their new homes than new troubles began. The Sauks and Foxes, unfortunately, had their new reservations in close proximity to that of the Pottawatomies and Ottawas. The well known hostility, a few years previous, of Shabonee to Black Hawk, and the part which the Ottawas took against him and his followers in the war which followed, were still fresh in the minds of the individual Sauk leader, and made enemies of two noted braves who, at an earlier period of their career, had for so many years been fighting side by side, under the eye of their leader, Tecumseh. The warfare against Shabonee and his family resulted in the murder of his eldest son and

Continued, next page

SHABONEE

From previous page

a nephew who were killed soon after their arrival in western Missouri. The old chief, Shabonee, narrowly escaped with his life from the vengeance of his foes. This caused him and his family to return to Illinois in about one year after having left it. From this time until in 1849, Shabonee and his family, some twenty to twenty-five in number, lived at the Grove in peace and quietness with the white neighbors surrounding them. By this time, the Pottawatomies and Ottawas had been again removed to a new reservation granted them in Kansas, and Shabonee again with his family, left their old home in Illinois, to join their red brethren in the new one to be occupied. He remained there with his old friends and tribe some three years, then again with his family retraced their steps back to their old home in the Illinois Grove, only to find his village and lands in the possession of strangers; the old home he and his family had occupied for more than forty years was lost to him forever. When he fully realized his forlorn situation, it is said that the old warrior, who probably had scarcely ever before shed a tear, here "wept like child." But his cup of misery was not yet full. An unfeeling brute, the new owner of the land, upon which, on his return, Shabonee and his family encamped, cursed the poor old man for having to cut a few lodge poles, on what he thought was his own property and preemptorily ordered him and his family to leave the Grove. This they did, and it is said that Shabonee never visited it again. A few friends, realizing the destitute situation in which the poor old chief and his family were placed, purchased for him a small tract of twenty acres of timber land on Mazon Creek, a short distance south of Morris, in this State. The situation of the land and its surroundings were of a character to suit the Indians. The land was fenced in, a small spot broken up for tillage, and a double log cabin built for them. Here in a semi-state of poverty and wretchedness, the old chief and part of his family lived, most of the time in wigwams, or tents, using the house for storage purposes and as a barn.

Shabonee died July 27, 1859, aged eighty-three years. He was buried in the town of Morris, and he it said to the shame of the white men, for a long time no memorial stone, nothing but a piece of board stuck in the ground showed the spot where lay the remains of the best and truest Indian friend which the early settlers of northern Illinois had in the day of their tribulation.

The second wife of Shabonee, a very large and decrepit old woman, weighing some four hundred pounds, together with her grandchild, were drowned near Morris in the spring of 1864 and both lie buried by the side of Shabonee.

After the death of Shabonee and his wife, all the members of the band then left joined their brethren in the Indian Territory.

Shabonee was not by birth an hereditary chief, and in fact only became one over his band by their tacit consent, after the death of his first wife's father. In his personal appearance he was a model of physical strength, tall in stature, straight as an arrow, large head and face, with pleasant features and an agreeable expression of countenance. He was not much of an orator, yet his words of wisdom always had their weight in council deliberations.

Until quite late in life (after his return from the West in 1838), he was remarkably temperate in his habits, scarcely ever tasting of the "fire-water," that great enemy of his race. No doubt his long association with Tecumseh, who also was remarkably temperate in his habits, had its influence upon the mind and character of Shabonee. It is well known that Tecumseh, both by precept and example, ever tried to impress upon the minds of his red brethren, that most of the unnumbered woes which had been fastened upon their race, were in the main attribut-



Courtesy, Chicago Historical Society

Shabonee's Grandson, Little Smoke

able to their inordinate love of whiskey, and the usual debaucheries following its use. Shabonee, in another trait of his character, showed what influence had been made upon it by the teachings of his model leader, Tecumseh, viz., his humanity always shown, and protection from indiscriminate slaughter afforded to the unfortunate captives of war who fell into his hands. This remarkable departure from the general usages and practices of savage warfare is well worth recording.

The name and memory of Shabonee will be ever dear to the old settlers of this section of the west because of the prompt action he took to thwart the schemes of that wily old savage, Black Hawk, and save from his savage fury the lives of so many of our early pioneers, many of whom would certainly have been sacrificed, had it not been for his disinter-

ested efforts in their behalf. To show that the feelings of grateful remembrance still exist, we need but look around in this and adjoining counties, to find how frequently the name of Shabonee is incorporated with that of townships, public square, streets, chapters, wigwams, commanderies, etc.

Truly, by race and descent, he was what we so often call "a savage of the wilderness," (very few of whom have shown to the world, notwithstanding the efforts in their behalf of Christian teachers, and their contact, more or less, with our modern civilization, so many redeeming traits of character as did Shabonee;) but we are sorry to have to record, that during the last few years of his long life his sorrows and poverty increased. Surrounded by white neighbors, and almost in daily contact with civilized men, yet this contact failed to produce good results. On the contrary, that so-called civilized man too often tempted the poor old Indian to indulge in a too liberal use of the accursed "fire-water," which generally left him in a state of maudlin helplessness, pitiable to behold. Let us throw a veil over his few faults, and remember his many virtues. (William Hickling, 1877.)

Nearly forty years after the death of Shabonee, the Shabonee Memorial Association of Grundy County was formed and in the latter part of October in about the year 1900, a monument to the memory of chief Shabonee was erected in Morris, Illinois, at the head of his grave. It is a huge boulder of gray granite, weighing many tons, and across a smooth side of it is inscribed, "Shabbona, 1775-1859."

On August 29, 1906, Shabbona Park, near Ottawa, Illinois, was dedicated, and a monument erected there to Shabbona's memory was unveiled. Shabbona Park is fourteen miles north of Ottawa, and was the scene of the Black Hawk Indian massacre in 1832. Chief Shabonee warned the settlement of impending danger and those who did not heed the warning, fifteen in number, were slain. Five thousand dollars was appropriated by the legislature for the establishing of the park and the erection of the monument. The principal addresses were made by M.N. Armstrong of Ottawa and Thomas J. Henderson of Princeton.

Largest Canadian land claim settled

The largest Native land claim settlement in the nation's history was agreed to in principle by the Government of Canada and the Inuit of the Northwest Territories in a landmark decision (during December) that could split control of the far northernmost regions of Canada between Native governments.

The Tungavik Federation of Nunavut (TFN) has negotiated a 225,000 square kilometre land settlement and \$580 million in compensation over the next 14 years.

It will also gain 36,000 square kilometres of sub-surface rights.

The TFN, an organization representing more than 17,000 Inuit, will have a strong decision-making role in environmental management and guarantee to wildlife harvesting rights and resource revenue-sharing.

TFN chief negotiator Paul Quassa said the tentative agreement is a dream come true for the Inuit of the eastern Arctic who have waited 15 years for the creation of the Nunavut Territory.

"This is what the Inuit have been waiting for...a separate territory in which we can show the people in the rest of Canada that we are able to run our own affairs," he said.

The Inuit, federal government and the Government of the Northwest Territories must enter

into further negotiations to ratify the agreement.

Talks will take place over the next six months and the Minister of Indian Affairs, Pierre Cadieux, said there will be a plebiscite with northern residents to determine if a division will be made.

The Inuit, which make up about 80 percent of the population of the eastern Arctic, will control an area that is equivalent to a third of the province of Alberta if the deal is put through.

TFN president Donat Milortok said his people still have a lot of work ahead of them in landing their rightful claims, but admits that they're at a turning point in acquiring self-sufficiency.

"We still have a lot of work to do in communicating the contents of this tentative agreement to our people. But I want to assure them that we are ready to continue to pursue our dream and will push for the recognition at last of Nunavut," he said.

In 1984, a similar agreement was made between the Inuvialuit of the western Arctic when they negotiated a 93,240 square kilometre settlement and \$45 million in compensation. Last year Indians in the Yukon received a 41,000 square kilometre, \$243 million settlement and Dene/Metis, \$500 million and 181 square kilometre settlement.

Text of the Tribe's 1990 Election Ordinance

1990 ELECTION ORDINANCE OF THE CITIZEN BAND POTAWATOMI INDIAN TRIBE
BE IT ENACTED BY THE CITIZEN BAND POTAWATOMI INDIAN TRIBE OF OKLAHOMA:

ARTICLE I CITATION AND PURPOSE

S1-101: Citation

This enactment may be cited as the 1990 Election Ordinance of the Citizen Band Potawatomi Indian Tribe.

S1-102: Purpose

The purpose of this ordinance is to repeal the Citizen Band Potawatomi Indian Tribe Election Ordinance of 1983 and to establish the rules and procedures for conducting elections authorized in Article 12, Section 1 of the Tribal Constitution.

ARTICLE II WORDS AND PHRASES

S2-101: Definitions

The following definitions shall control the meanings of the following terms:

a. "Tribal Court" shall mean the Potawatomi Tribal Court sitting at the Potawatomi Tribal complex in Shawnee, Oklahoma.

b. "General Council Resolution" shall mean the official document, and its adoption by the Business Committee, by which the General Council acts on behalf of its membership under the authority reserved to it by the Tribal Constitution.

c. "Tribe" and all derivatives thereof (e.g. "tribal") shall mean the Citizen Band Potawatomi Indian Tribe.

S2-102: Time Periods

Unless otherwise provided herein, all of the time periods established herein for filing, challenges, contests, or appeals are jurisdictional and cannot be waived.

ARTICLE III ELECTION COMMITTEE

S3-101: Creation

An Election Committee is hereby created and established having the duties and powers hereinafter set forth. The Election Committee shall conduct all elections and referendum votes in accordance with the Tribal Constitution, Tribal By-Laws, and with this ordinance.

S3-102: Composition

The Election Committee shall consist of five person: a Chairman, Vice-Chairman, Secretary, Assistant Secretary, and a Marshal.

S3-103: Appointment

The Business Committee shall appoint the members of the Election Committee and designate the Chairman of the Committee:

a. Not later than one hundred fifty (150) days prior to an election.

b. By resolution in substantially as set forth in Appendix Form 1. (Resolution Format)

c. If a vacancy occurs on the Election Committee, the Business Committee shall fill the vacancy within five (5) days.

S3-104: Oath

Prior to entering into the duties of office, each Election Committee member shall take the following oath of office to be administered by a member of the Business Committee or a Tribal Court Judge:

I, _____, do hereby solemnly swear, or affirm, that I will support, protect and defend the Constitution and laws of the Citizen Band Potawatomi Indian Tribe, and will cause the elections of the Citizen Band Potawatomi Tribe to be conducted fairly, impartially, and in accordance with the laws of the Citizen Band Potawatomi Indian tribe, so help me God.

S3-105: Officer Selection

The Business Committee shall select from among the Election Committee members, a Chairman. A Vice-Chairman, Secretary, Assistant Secretary, and a Marshal shall be selected by the Election Committee, who shall certify in writing to the Business Committee the names of the persons so selected.

S3-106: Sub-Appointments

The Election Committee may appoint such observers, clerks, counters, marshals, and alternates, as necessary to conduct the election and shall certify such appointments in writing to the Business Committee.

S3-107: Filing Certifications

Copies of all certified appointments and sub-appointments shall be filed in the tribal secretary's office and be open for public inspection.

S3-108: Eligibility

No person may be appointed to the Election Committee unless eligible and qualified.

a. A person is eligible if:

1. A member of the Tribe.
2. 21 years of age or older.

b. A person is not qualified for appointment if:

The Amendments

These are the amendments to the 1990 Election Ordinance:

S6-110: Add Grievance Committee #1, Grievance Committee 32 and Grievance Committee #3

S8-102: Requests for absentee ballot may be written, printed or typed and must include the correct mailing address, roll number and legal signature of the person making the request.

S8-105: Add: and legal signature.

S9-102: The Tally: All election material shall be transported to the counting room, thereafter, the Election Committee shall: a. Unlock the ballot boxes, b. Remove the regular ballots. c. Tabulate the vote.

S9-202: Verifying the absentee ballots: The Election Committee shall determine: a. Same b. Same c. Omit

S9-207: Omit: immediately open the ballot box

S9-208: \$250.00 instead of \$200.00

S4-114: Public Disclosure of Campaign Contributions

1. Under any court-ordered guardianship due to mental incapacity,
2. The natural or adopted brother, sister, parent, child, or spouse to a current candidate,
3. A current candidate for election to any tribal office to be decided by that election,
4. Ever convicted of a felony,
5. Ever convicted of a non-felonious crime involving the election laws of the tribe, or
6. Ever found civilly or criminally liable for breaching a fiduciary or contractual duty to the Tribe.

S3-109: Term

Each Election Committee member shall serve from appointment until the election results for all election offices have been certified.

S3-110: Compensation

Members of the Election Committee are to receive only such compensation, traveling expenses, or stipend, as may be authorized by the Business Committee.

S3-111: Records

The Election Committee shall maintain complete and accurate minutes of meetings and retain all documents pertaining to an election. These records shall be filed in the Tribal Secretary's office within forty-eight (48) hours after each meeting and shall be open for public inspection during normal office hours at the Potawatomi Tribal Complex.

S3-112: Duties

Each Election Committee member has the duty to become thoroughly familiar with this ordinance and the Tribal Constitution and By-Laws, to see that these laws are rigorously followed, and to immediately document and report any violations to the marshal or other law enforcement personnel. In addition:

a. Chairman: The Chairman shall be the presiding member and responsible for the overall activities of the Election Committee, including safekeeping of the ballots and ballot box(s).

b. Vice-Chairman: The Vice-Chairman shall assist the Chairman, preside in his absence and assist in the conduct of the election.

c. Secretary: The Secretary shall record and maintain accurate minutes of meetings and records pertaining to an election. The Secretary shall verify the authenticity of these records and be responsible for providing all Election Committee certifications except where otherwise provided herein after each Election Committee meeting. All records shall be filed with the Secretary-Treasurer of the Tribe within two (2) working days after each meeting.

d. Assistant Secretary: The Assistant Secretary shall assist the Secretary and serve in the Secretary's absence, and assist in the conduct of the elections.

e. Clerks: The Clerks shall assist in the conduct of the elections, and shall check off the voters on the list of qualified voters. Each clerk shall keep a separate record of the members voting which shall be cross-checked frequently by the Chairman or his designate, to insure accuracy.

f. Marshal: The Marshal shall maintain order at the polls, and enforce the election laws. The Marshal shall have these powers from the time the polls open until the declaration of all election results are final.

S3-113: Procedure

The Election Committee acts only by majority vote of a quorum at a properly called and noticed meeting.

a. Quorum. A quorum of the Election Committee shall consist of any three members.

b. Meeting. Meetings may be called at any time by the Chairman, or by request of a majority of the Election Committee and shall notify the Secretary-Treasurer of the Tribe two (2) working days prior to the meeting. In the event the Chairman

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fails to call a meeting as requested, the other members of the Election Committee who request a meeting may convene one upon prior registered mail notification to all members of the Election Committee and Secretary-Treasurer of the Tribe. The Secretary-Treasurer of the tribe shall receive prior notice of all meetings.

c. Where. All meetings shall be at the tribal office unless notice of the place and time of the meeting is conspicuously posted in the tribal office at least forty-eight (48) hours prior to the meeting.

S3-114: Rules

The Election Committee shall have the authority to recommend such rules, not inconsistent with this Ordinance, as may be necessary and proper for the conduct of tribal elections. Such rules shall be approved by the Business Committee. Copies should also be posted in prominent places in the tribal offices and such other places as the Election Committee may deem advisable. A copy of the rules should be promptly delivered to the tribal newsletter for publication.

ARTICLE IV

GENERAL ADMINISTRATION

S4-101: Election Days

All tribal elections and referendum votes, unless otherwise specifically provided by law, shall be held on a Saturday. Regular elections of members of the Business Committee and Grievance Committee shall be held on the last Saturday in June of each election year. All other required tribal elections or referendum votes shall be held upon call of the Business Committee or the Election Committee as provided by the tribal Constitution and By-Laws.

S4-102: Forms

The forms contained in the Appendix of Forms are sufficient under this ordinance and are intended to indicate the simplicity and brevity of statement which this ordinance contemplates. Except as provided herein, all forms needed for tribal elections and referendum votes shall be prescribed and provided by the Election Committee. The Tribe shall be responsible for the cost of producing all forms.

S4-103: Instructions to Voters

Instructions to voters describing the manner of casting one's vote shall be posted as the polling place and issued upon request to all eligible voters with a ballot.

S4-104: Public Information

The Election Committee shall widely disseminate to the tribe information about the dates and times of election, locations of polling places and other election-related data. The Election Committee is authorized to publish in the tribal newsletter and in other newsprint media names of candidates, election dates, polling places, election results, and other information as necessary to discharge its duties.

S4-105: Polling Place

Polling places shall be designated for each election on the tribal grounds, and for an absentee ballot mailing address.

S4-106: Ballot Box

Locked empty ballot box(s) shall be provided and shown at the polling places prior to voting. Each ballot box shall be constructed of substantial material and shall be equipped with a lock so that the keys of one lock will not unlock others. Each box shall be equipped with a slot or opening in the top through which a ballot may be inserted, but so the box must be unlocked before the ballots can be removed.

S4-107: Access to Ballots

The Election Committee Chairman and Secretary shall retain ballot box keys in their custody until all election results are finally certified. Only those authorized by this ordinance shall have access to the ballot boxes at specific times designated by the Election Committee.

S4-108: Voting Booths

At least two voting booths shall be provided at the polling place. The booths shall be constructed with a counter shelf so that:

- No more than one person is in the booth, and
- Voters can mark their ballots in secrecy.

S4-109: Poll Watchers

Each candidate may designate in writing one person, not a candidate, to watch the activities at the polls. Such designation must be presented to Election Committee Officials one week prior to the election. Poll watchers may not interfere in any way with the conduct of the election, but may observe only. Any poll watcher interfering with the election or attempting to electioneer in any way may be ejected from the poll area by a marshal or law enforcement officer.

S4-110: Electioneering and Loitering

No person shall be allowed to electioneer inside or within one hundred (100) feet of the polling place where and when the election is in progress. Neither will any loitering be permitted in the polling places during voting hours. Election officials at the polling place have the duty to obtain such assistance as may be required to maintain order about the building during the progress of the election.

S4-111: Voter Conduct

No intoxicated person will be permitted in the polling place. No person will be permitted to conduct himself in such a manner which may interfere with the election progress. No person shall engage in any activity which serves as a detriment to the election progress or which inhibits the rights of another to vote.

S4-112: Anonymous Election Material

It shall be unlawful for any person, firm, corporation, partnership, organization, or association to write, print, post, or distribute or cause to be written, printed, posted or distributed a statement, circular, poster, advertisement which is designed to influence the voters on the nomination or election of a candidate or to influence the voters on any constitutional or statutory amendment or on any other issued in a Potawatomi tribal election, or to influence the vote of any member of the Business Committee or Tribal Council, unless there appears in a conspicuous place upon such circular, poster or advertisement, either the name and address of the person, if an individual, or the name and address of the president, chairman, or secretary, of of the two officers of the organization, if an organization. Persons violating this act shall be guilty of a crime punishable by the maximum incarceration and fine allowed by law.

S4-113: Application

The provisions of this section shall not be construed to apply to any matter published in any newspaper, magazine, or journal recognized and circulating as such, which matter is published upon its own responsibility and for which it shall not charge or receive any compensation whatsoever, nor shall the provisions of this section apply to any publication issued by any legally-constituted election officials in the performance of their duties. For purposes of this provision only, a newspaper, magazine or journal is a publication which is published at intervals of either one month or less, on a continuous basis, and has been so published on said continuous basis for the six months prior to the date when ballots can first be requested by tribal members for elections of Business Committee members at the General Council. The newspaper, magazine or journal must also bear the address of the business office where the publisher or legal representative is located.

S4-114: Public Disclosure of Campaign Contributions

Each candidate for elective offices in the Citizen Band Potawatomi Indian Tribe shall file a public disclosure statement that identifies all persons, corporations, groups, etc., contributing in excess of \$50.00 to that individual's campaign. This disclosure must be made to the Secretary Treasurer of the Tribe no later than four (4) weeks after the day of the election. If no contribution has been received, a statement must be filed so stating. Failure to file a public disclosure under this section is punishable by a fine of \$500.00 and possible disqualification from the election if the individual falsifies or refuses to file the required reports.

ARTICLE V

CHAPTER ONE ELIGIBLE VOTERS

S5-101: Eligibility

Every tribal member 18 years of age and older in accordance with Article 5, Section 1 of the Tribal Constitution shall be eligible and entitled to vote in all tribal elections.

S5-102: Voter Lists

The tribal secretary shall have the duty to compile from the tribal membership rolls a voter list of all persons who will be eligible voters on the date scheduled for the election and shall certify the voter list and:

- Present a certified copy to the Election Committee no later than ninety (90) days prior to the election (if possible).
- Maintain at least one certified copy in the tribal office for public inspection during regular business hours no later than one hundred twenty (120) days prior to the election.
- Maintain at least one certified copy at each polling place on election day to check the eligibility of those presenting themselves to vote.

CHAPTER TWO CHALLENGES

S5-201: Who May Challenge

Any person may challenge the eligibility of anyone whose name appears on the voter list, or may apply to have his name added to the voter list.

S5-202: How To Challenge

A voter list challenge is initiated by filing a written petition with the Election Committee. No special form of petition shall be required although the petition shall:

- Clearly indicate the substance of the challenge,
- Specify the name, or names challenged,
- Set forth the relief requested,
 - To add a name, or
 - To delete a name, and
- Include supporting evidence.

S5-203: Time For Challenge

A challenge must be initiated no later than ten (10) days after the Tribal Secretary deposits the certified voter list in the tribal office.

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S5-204: Decision:

The Election Committee should render a decision on a challenge within ten (10) days of filing. Failure to timely act will be considered a denial of the challenge.

S5-205: Appeal

Any party aggrieved by the action or inaction of the Election Committee may thereafter appeal to Tribal Court.

S5-206: Appeal Time

An appeal must be filed within two (2) days of the de facto or de jure decision by the Election Committee.

S5-207: Appeal Parties

The individual members of the Election Committee and Business committee shall not be named as defendants in an appeal. The tribal attorney shall represent the Election Committee and/or Business Committee and the court shall expedite such cases so as to reach a final decision prior to election day. No election shall be postponed because of a pending voter list challenge.

ARTICLE VI CANDIDATES

S6-101: Eligibility To File

In order to file for any office, a candidate must be eligible and qualified:

a. A person is eligible if:

1. Twenty-one (21) years of age or older,
2. A member of the Tribe, and
3. Physically residing within Pottawatomie, Seminole, Pontotoc, McClain, Oklahoma, Lincoln, Cleveland and Okfuskee counties of Oklahoma.

b. A person is not qualified if:

1. Ever convicted of a felony,
2. Ever found civilly or criminally liable for a breach of fiduciary duty to the Tribe, or
3. Ever impeached or recalled by the Tribe.

S6-102: Ballot Eligibility

To be eligible to seek election and be placed on the ballot, a person must timely file for that office.

S6-103: Filed Candidate

To be a filed candidate, one must:

- a. Be eligible to file,
- b. Timely file a declaration of candidacy with:
 1. The Tribal Secretary-Treasurer or his designate, and
 2. The Election Committee or their designate.
- c. Timely pay a filing fee of one-hundred and fifty dollars (150.00) upon filing by cashier's check, which is refundable if the candidate is declared ineligible or withdraws.

S6-104: Filing Period

A candidate must file during regular business hours 8 a.m. to 5 p.m. no earlier than ninety (90) and no later than eighty seven (87) days prior to the date of the election. The filing period is for a total of three working days.

S6-105: Form Of Declaration

Although no particular form is required, the declaration of candidacy must be by affidavit and contain sufficient information for the Election Committee to determine that the candidate is eligible to file, is seeking a particular office, and has complied with this ordinance. The declaration should be substantially as shown in Appendix Form 2.

S6-106: Nicknames

Each candidate may specify one (1) nickname to be placed on the ballot alongside the candidates true name. No nicknames may be used if identical or substantially similar to the name or nickname of another candidate. Should a dispute over the use of a name arise, the election Committee's decision shall be final unappealable. To specify a nickname, a candidate must affirm in the declaration of candidacy that:

- a. The candidate is known by the nickname, and
- b. The nickname is not being used for any other purpose than to accurately identify the candidate.

S6-107: Acceptance

The Election Committee shall accept any filing by a person which, on its face, appears valid, that is, shows the candidate filing is eligible, qualified and has timely filed, and tendered the filing fee. Acceptance shall entitle the candidate to have his name appear on the ballot unless the candidate withdraws as hereinafter set forth or unless a contest to his candidacy is sustained in the manner hereinafter described.

S6-108: Certification Of Slate

As soon as practicable after the filing period closes, the Election Committee shall file a written certification of the slate of candidates for the election with the Tribal Secretary.

The certification shall also indicate all filings not accepted and the reasons for non-acceptance.

S6-109: Use of Tribal Newspaper

After filing closes, the tribal newspaper will provide an equal amount of free space in the next edition for all candidates appearing on the certified slate. The

purpose of allowing the free space is to allow the candidates to identify themselves to the voters. All other space in the tribal newspaper shall be available to candidates on a fee basis established by the Business Committee to reflect publication and distribution cost only.

HowNiKan Editor shall have final approval on contents of free and paid advertisements and shall review their contents for libel, slander, and inaccuracy of facts with the tribal attorney. Deadlines for receiving advertisement copy are set by editor and published in the newspaper.

S6-110: Filing For More Than One Office Prohibited

No person shall be a candidate for more than one office during any one election, nor may a tribal office holder seek another office except when the office holder's term expires contemporaneously with the election. Each candidate must specify which office is being sought; Chairman, Vice-Chairman, Secretary-Treasurer, Councilman 1, Councilman 2, Grievance Committee 1, Grievance Committee 2, Grievance Committee 3.

CHAPTER TWO WITHDRAWALS

S6-201: Withdrawals

Any candidate for office may withdraw a declaration of candidacy by filing a written notice of withdrawal with the Election Committee at any time not less than sixty (60) days prior to the election. The withdrawal notice shall contain the candidate's name, the office sought, and shall be notarized or sworn to before a person authorized to administer oaths. A timely withdrawal is final.

S6-202: Procedure On Withdrawal

If a candidate withdraws, the Election Committee shall post notices to that effect at all polling places and within the voting booths, and may line through or otherwise obliterate the candidate's name from the ballots. Any votes cast for a withdrawn candidate shall be rejected.

CHAPTER THREE CHALLENGES

S6-301: Kinds

The certified slate may be challenged either because a candidacy was allegedly wrongfully certified or because a person's attempted filing was allegedly wrongfully rejected.

S6-302: Who May Challenge

Any candidate may challenge the eligibility of any other candidate for the same office. If only one candidate has filed for an office, any person on the voter list may challenge the eligibility of that candidate.

Only the person whose filing is not accepted may challenge the non-acceptance.

S6-303: How To Challenge

A challenge must be initiated by filing a written petition with the Election Committee. Each petition shall state with particularity the reasons for the challenge.

S6-304: Hearing

Upon receiving a candidacy challenge, the Election Committee shall immediately deliver copies to the challenged candidate and all other candidates for that office. A hearing on the challenge must be held within five (5) days of receipt of challenge. The Election Committee must render a decision on the challenge within seventy-two (72) hours of commencing a hearing. No formal pleadings are required. The Election Committee may subpoena witnesses and take testimony under oath. The challenger has the burden of proof.

CHAPTER FOUR APPEAL

S6-401: Appeal

Any proper party to a candidacy challenge aggrieved by the Election Committee decision may appeal to the Tribal Court.

S6-402: Appeal Time

An appeal must be filed with the Tribal Court on or before the expiration of two (2) business days following announcement of the Election Committee decision.

S6-403: Relief

The appellant shall have the burden of proof. The Tribal Court shall either:

- a. Affirm the Election Committee decision.
- b. Reverse the Election Committee decision, and, depending upon which is appropriate, add or strike a candidate's name from the slate certification.

S6-404: Time For Decision

The Tribal Court has ten (10) days to act on the appeal preceding election day. Failure of the Tribal Court to render a decision with twenty (20) days is a affirmation of the Election Committee's decision.

ARTICLE VII BALLOTS

S7-101: Candidate's Names

The name of any candidate for office shall be printed on the official ballot as set forth in the declaration of candidacy without any prefix, suffix, or title. A

Continued, next page

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nickname may be included if properly requested. Position on ballot will be determined by order of filing for a particular office. As soon as the candidates filing period closed and period for challenges expires without a timely challenge, the Election Committee will prepare a ballot. If a candidacy challenge is filed, the ballot will be prepared as soon as the challenge is resolved.

S7-102: Unopposed Candidates

Any candidate who is unopposed for an office shall:

a. Appear on the ballot with the designation "unopposed" printed next to his name, and

b. On election day be deemed elected to that office.

S7-103: Ballot Care

Specific instructions to the voter may be printed at the top of the ballot. Ballots shall not be numbered or show any other lettering or identifiable markings, unless such markings be on a perforated "tear-off" slip to be removed prior to placing the ballot in the ballot box.

a. Only one ballot shall be cast by each eligible voter.

b. A ballot shall be cast only after the voter has signed the poll register unless voting by absentee ballot.

c. Election Committee officials shall account for all "ballots."

d. A ballot shall be issued to each eligible voter by mail or through distribution at the tribal offices by the Election Committee.

ARTICLE VII

ABSENTEE VOTING

S8-101: Eligibility

Any voter can vote by absentee ballot.

S8-102: Application

Requests for absentee ballots may be written, printed or typed and must include the correct mailing address, roll number, and legal signature of the person making the request.

S8-103: When To Apply

Requests to vote an absentee ballot must be made not less than twenty (20) days prior to the election.

S8-104: Receiving Ballot and Absentee Voter List

After final certification of slate the election committee will have ten (10) working days to print ballots. Ballots will be mailed immediately after final certification of slate and upon receipt of an appropriate and timely request. The Election Committee shall maintain an accurate written record ("Absentee Ballot List") of all ballots so issued, including the name, address, roll number, and legal signature of the voter to whom the absentee ballot was issued, and the date of the issue immediately after final certification of the slate at a timely or appropriate request.

S8-105: Voting

Those voting by absentee ballot shall mark their ballots, seal them in an inner envelope, and see that the absentee ballot is timely delivered. Only the outer envelope shall have the voter's name, return address, roll number and legal signature written upon it.

S8-106: Delivering Completed Ballot

Those wishing to vote by absentee ballot must see that their outer envelope with enclosed inner envelope and absentee ballot are delivered to the designated post office box not later than 10:00 a.m. of the last Saturday in June.

S8-107: Handling

All absentee ballots received by the Election Committee shall remain in a locked post office box provided for that purpose in Tecumseh, Oklahoma Post Office until 8:00 a.m. on election day, at which time the Election Committee Chairman, or an election official designated by the Chairman, and at least one other election official shall:

a. Receive the ballots from the post office,

b. Personally transport them to the polling place,

c. Deliver them immediately, still sealed, to the remaining members of the Election Committee.

d. Deposit them unopened in a special locked ballot box.

e. The same procedure shall be followed at 10 a.m., and

f. Tabulate them immediately upon delivery by election officials in the presence of candidates poll watchers.

S8-108: Procedure Mandatory

No absentee ballot will be received at any time or by other means than provided for herein.

ARTICLE IX

CONDUCT OF ELECTIONS

CHAPTER ONE

VOTING

S9-101: Voting Period

The polls shall be opened at each polling place from 7:00 a.m. until 2:00 p.m. Saturday the day of General council meeting. Any voter in line at the polling place at 2:00 p.m. but unable to cast a ballot before 2:00 p.m. shall be allowed to cast a vote.

S9-102: Voting

All voting is by secret ballot. Upon being identified as being on the official voters' list and not having previously received a ballot, each prospective voter shall:

a. Be handed an unused ballot by an election official,

b. Sign his name on a voter register, kept for that purpose, to acknowledge receipt of the ballot,

c. Vote in privacy, in a voting booth, by marking the box opposite the name of the candidate supported by the voter.

d. Fold the ballot so the choice cannot be seen by others, and

e. Personally deposit the ballot in the ballot box.

S9-103: Voter Assistance

The election officials may allow a voter to obtain the assistance of any person in casting a vote if the voter is physically unable to cast a ballot and assistance, without previous suggestion, is requested. The Election Committee shall decide whether assistance may be rendered which decision shall be final and unappealable.

S9-104: Marking The Ballot

A ballot shall show only the marking of the voter's choice and shall not show more choices than the election calls for. A person may choose not to vote for any candidate for a particular office. However, if a voter marks a ballot so that the vote is apparently for more than one candidate for a single office or for a candidate not properly listed, or bearing any other such material errors, the ballot will not be counted, but will be marked by official, and retained as hereinafter provided.

S9-105: Mutilated Ballots

If a voter mutilates a ballot or renders the ballot unusable another may be obtained, and the mutilated ballot shall be folded and marked "mutilated" in ink. Each member of the Election Committee on duty at that polling place shall sign below this marking and the mutilated ballot shall be placed in a large envelope marked "mutilated ballots." The envelope containing all mutilated ballots shall be placed in the ballot box at the end of the voting.

S9-106: Unused Ballots

Ballots unused at the end of the voting shall be tied together, marked "unused" in ink, signed by at least two election officials, and placed in the ballot box at the end of the voting.

CHAPTER TWO

COUNTING THE VOTE

S9-201: The Tally

All election material shall be transported to the counting room. Thereafter, the Election Committee shall:

a. Unlock the ballot box-s).

b. Remove the regular ballots and

c. Tabulate the vote.

S9-202: Verifying The Absentee Ballots

The Election Committee shall count the absentee ballots. Each outer envelope shall be opened, but the inner envelope shall remain unopened at that point. The Chairman shall then determine:

a. Whether the person whose name is signed to the outer envelope and affidavit is a qualified voter.

b. Whether the voter is on the absentee ballot list.

S9-203: Counting Ballots

The Election Committee shall count the absentee ballots.

S9-204: Observing Tally

At least two election officials shall view each ballot, and each counter shall keep a separate tally of the votes cast. Each candidate may select a watcher, not a candidate, who shall not interfere with the tally process, but can observe and keep a separate record of the tally of the ballots.

S9-205: Rejection of Ballots

If, during the tallying of the votes, the members of the Election Committee are unable to determine from a ballot the choices of a voter, the ballot shall be rejected. A rejected ballot shall be marked "rejected" in ink. Each member of the Election Committee shall sign his name below this marking. Rejected ballots shall be kept together, and placed in the ballot box at the end of the tally.

S9-206: Certified Abstract

At the close of the tally, the Election committee members shall:

a. Open the ballot boxes and display the empty box to all persons present to insure that no ballots are contained therein,

b. Determine the total vote cast including the absentee ballots for each candidate for each office,

c. Write down these totals, together with the number of rejected ballots, spoiled ballots, unused ballots and total ballots printed,

d. Sign the written totals as a certified abstract of the election results,

e. Read the certified abstract aloud to the public,

f. Deliver copies of the certified abstract to:

1. The Business Committee

2. The Tribal court Clerk, and

3. The Election Committee files in the tribal Secretary's Office.

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S9-207: Recounts

If the votes cast for two or more candidates (with the highest vote) is tied, or if the highest vote is larger than the next highest vote by less than 10% of the total vote cast for that office, the Election Committee shall recount the vote for that office on all the unmutated unrejected ballots, rejecting any which it is unable to determine the choice of the voter. The recounts shall continue until two consecutive counts agree, and a new abstract shall then be prepared and read aloud to the public.

S9-208: Request For Recount

Since the Election Ordinance provides for automatic recount of ballots, any request for recount of ballots must list the reasons therefore in writing and be submitted to the Election Committee Chairman, or his designated representative within two (2) working days after the election.

Such request must be accompanied by a non-refundable cashier's check of \$250.00 made payable to the Citizen and Potawatomi Indian Tribe of Oklahoma. Said check shall be forwarded to the tribal secretary-Treasurer to be credited against the cost of the recount. The Election Committee shall meet and decide within five (5) days of receipt of the notice whether or not such reasons listed in the request are sufficient to cause a recount of ballots. If no recount is made, the \$250.00 is refunded.

S9-209: Run-Off Elections

A candidate for membership on the Business Committee must receive the highest number of votes in order to be elected. If the abstract shows that the highest number of votes cast for two or more candidates for an office is tied, a run-off election shall be held within sixty (60) days after the general election. The Election Committee shall supervise the run-off election following the same rules and procedures followed in the general election. Subsequent run-off elections may be held in the same manner if necessary. As soon as some candidate has received a higher vote than any other candidate, no further run-off elections will be had.

S9-210: Retention Of Ballots

Upon completion of the election and announcement of the certified abstract, the Election Committee shall lock all ballots and records in the ballot box and deposit the ballot box in the vault of the designated bank, post office, or other secure area as approved by the Election Committee, to be held for safekeeping until final certification of the election results and installation of all officers. Only the Chairman and Secretary of the Election Committee shall have access to these records. After installation of all officers, the Election Committee shall return all ballots and election records to the tribal Secretary to be placed in permanent confidential tribal records for a period of five (5) years. The documents will not be available for public viewing in order to preserve the confidentiality of the persons voting in the election. From and after the date of final installation of all elected officials and after the five-year period is completed, the tribal Secretary may remove the election ballots and records, except the final certification of successful candidates, and destroy them.

The final certification of election results entered by the Election Committee shall not be removed but shall be retained as a permanent public record.

S9-211: Election Certification

The Election Committee shall certify the election results for all uncontested offices immediately after the two (2) working day period for filing an election contest expires. If an election office is timely contested, then no certificate of election for contested office shall be issued until, if appropriate, after the election contest is finally decided.

S9-212: Finality

The Election Committee's certification of uncontested election results or the Election Committee's certification of the election results following an election contest provided for herein shall be final unappealable.

ARTICLE X INSTALLMENT

S10-101: Installment

In order to provide for an orderly transition of power, all newly-elected officers shown on the certificate of election shall be installed immediately following the election.

S10-102: Effect Of Installment

Once an officer is installed, removal is only by impeachment, recall or some other procedure authorized by the tribal constitution or recount certification.

S10-103: Incumbents

Consistent with Article 12, section 1 of the Tribal Constitution, the term of an incumbent office holder shall not expire until installation of his successor.

ARTICLE XI ELECTION CONTESTS CHAPTER ONE

ELECTION COMMITTEE REVIEW

S11-101: Who Can Contest

Only a candidate for the disputed office may contest the election results for that office.

S11-102: Grounds

Only two (2) grounds may be asserted for contesting an election. The grounds are that the Election Committee erroneously counted or failed to count ballots, which failures were of such a magnitude that:

- Either the contestant is entitled to be elected to the office, or
- It is impossible to determine with mathematical certainty which candidate is entitled to be elected to the office.

S11-103: When To Contest

Any candidate desiring to contest a tribal election for an office must do so within two (2) business days after announcement of the certified abstract of election results.

S11-104: How To Contest

A contest can only be initiated by:

- Timely filing with the Election Committee a verified statement setting forth the particular grounds for the contest, and
- Depositing \$250.00 in cash with the Election Committee to cover costs of the hearing (if the contest is unsuccessful, the cash deposit shall be refunded).

S11-105: Election Committee Hearing

The Election Committee shall set a hearing of the contest no later than five (5) days after the contest is filed. Written notice of such hearing shall be mailed or delivered to each candidate for the office contested. Any party to the election protest and the Election Committee shall have the right to view the election ballots and records in the presence of the Election Committee Chairman in the tribal offices. Any party to the protest or a tribal member shall be entitled to copies of the ballots from the court Clerk upon payment to said clerk of normal and customary charges. Said certified copies shall be received as evidence by the Election Committee in like manner as an original. Alternatively, the Election Committee, upon request of a party or on its own motion, may convene a hearing for any protested election at the Tribal Courthouse, Shawnee Indian Agency, for the purpose of reviewing the election materials. After hearing the proofs and allegations of the contestants, the Election Committee shall make factual findings and one of the following conclusions.

- That the contested election should be confirmed, or
- The contestant should be declared the winner of the election, or
- The contested election should be set aside and a new election held.

CHAPTER TWO APPEAL

S11-201: Appeal

Any proper party to an election contest aggrieved by the findings and decisions of the Election Committee may appeal to the Tribal Court.

S11-201: Time

Any appeal must be filed within five (5) days of receipt of notification of the decision of the Election Committee.

S11-203: Parties

The Election Committee and the person whose election is challenged are indispensable parties to the appeal. Any other candidate for that office may intervene. The individual Election Committee members are not necessary or proper parties to such action. The tribal attorney shall represent the Election Committee.

S11-204: Relief

The Tribal Court whose decision is final may only:

- Confirm with Election Committee decision,
- Order a new election for the contested office, or
- Reverse the Election Committee decision and order the Election committee to certify the election of the contestant to the office.

S11-205: Standard

Neither the Election Committee nor the Tribal Court shall invalidate any certified abstract of election results and order a new election for an office unless clear and convincing evidence shows that the person receiving the most votes for the contested office as shown on the certified abstract cannot be mathematically determined to be the clear winner.

ARTICLE XII REFERENDUM

S12-101: General Council Resolutions

Because they relate to claims or rights growing out of treaties only, all General Council Resolution shall be voted on in a referendum vote.

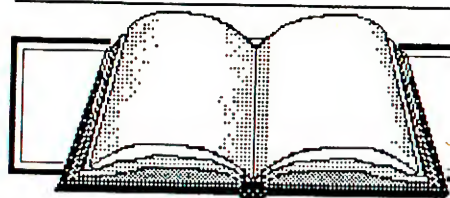
S12-102: Absentee Votes

All absentee votes shall be handled by the Committee in the same manner as that prescribed for casting tribal election ballots. All absentee ballots must be distributed at least twenty (20) days prior to any General Council Meeting and received by the Election Committee by 10:00 a.m. on the day of any General Council Meeting. These ballots will be received for counting and counted on the day of the General Council Meeting and the results certified to the Business Committee. The issues to be voted on must receive a majority vote for adoption. Results of the vote will be published in the tribal newspaper.

S12-103: Resolution Preparation

Preparation of Resolutions for referendum vote shall be by the Business Committee or by provisions provided for under Article X of the Tribal

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For the record...

Citizen Band Potawatomi Tribe

Business Committee Minutes - November 30, 1989

Present: Chairman John Barrett, Vice Chairman Jim Young, Secretary Bob Davis, Committeeman Francis Levier, Committeeman Hilton Melot, Tribal Rolls Director Mary Farrell, Accounting Director Carolyn Sullivan, CHR Director Joyce Abel, Guests Hazel Rhodd Williamson, Patricia Carson.

Chairman John A. Barrett called the meeting to order at 7:00 p.m.

Following a presentation of a proposal by Jim Young and Joyce Abel to reorganize and relocate certain services and programs into a Comprehensive Health and Senior Citizen Complex; John Barrett moved to remodel the former commodities warehouse for this purpose. One reservation being to retain forty feet of the building on the west end for use as a warehouse or future enterprises. Motion made by Jim Young; Bob Davis seconded. Passed 5-0.

Bob Davis moved to approve the October 2, 1989 minutes; Francis Levier seconded. Passed 5-0.

Hilton Melot moved to approve Resolution #90-70 enrolling 16 tribal members eligible for enrollment under previous blood quantum guidelines; Bob Davis seconded. Passed 5-0.

John Barrett moved to approve Resolution #90-71 enrolling 27 descendant applications; Hilton Melot seconded. Passed 5-0.

Bob Davis moved to approve Resolution #90-72 enrolling 21 descendant applications; Jim Young seconded. Passed 5-0.

Francis Levier moved to approve Resolution #90-73 enrolling 25 descendant applications; Bob Davis seconded. Passed 5-0.

Hilton Melot moved to approve Resolution #90-74 enrolling 28 descendant applications; Jim Young seconded. Passed 5-0.

John Barrett moved to approve Resolution #90-75 enrolling 22 descendant applications; Bob Davis seconded. Passed 5-0.

Francis Levier moved to approve Resolution #90-76 enrolling 20 descendant applications; Hilton Melot seconded. Passed 5-0.

Francis Levier moved to approve Resolution #90-77 enrolling 21 descendant applications; Bob Davis seconded. Passed 5-0.

Hilton Melot moved to approve Resolution #90-78 enrolling 31 descendant applications; Francis Levier seconded. Passed 5-0.

John Barrett moved to approve Resolution #90-79 enrolling 26 descendant applications; Jim Young seconded. Passed 5-0.

Hilton Melot moved to approve Resolution #90-80 enrolling 27 descendant applications; Francis Levier seconded. Passed 5-0.

Bob Davis moved to approve Resolution 390-81 enrolling 29 descendant applications; John Barrett seconded. Passed 5-0.

Francis Levier moved to approve Resolution #90-83 enrolling 20 descendant applications; John Barrett seconded. Passed 5-0.

Hilton Melot moved to approve Resolution #90-84 enrolling 18 descendant applications; Bob Davis seconded. Passed 5-0.

Hilton Melot moved to approve Resolution #90-86 enrolling 24 descendant applications; Francis Levier seconded. Passed 5-0.

John Barrett moved to approve Resolution #90-87 enrolling 24 descendant applications; Francis Levier seconded. Passed 5-0.

Francis Levier moved to approve Resolution #90-88 enrolling 7 descendant applications; Jim Young seconded. Passed 5-0.

Francis Levier moved to approve Resolution #90-89 reinstating 1 tribal member who was wrongfully removed from the rolls; John Barrett seconded.

Passed 5-0.

Francis Levier moved to approve Resolution #90-90 officially proclaiming Norman W. Kiker as the Tribal Chaplain for the Citizen Band Potawatomi Indian Tribe of Oklahoma; John Barrett seconded. Passed 5-0.

Hilton Melot moved to amend Page 10, Item 6 (b) of the Personnel Policy, jury duty will be handled the same as military leave, combined jury per diem pay to equal the regular pay of the employee. Drug free work place sheet also attached; John Barrett seconded. Passed 4 in favor, 1 opposed.

Francis Levier moved to amend the health insurance plan to include an annual physical for every insured employee that would include a Chest X-Ray, Mammogram, Blood Work-up and a Stress EKG, maximum payment of \$250.00; John Barrett seconded. Passed 5-0.

Bob Davis moved to approve direct Tribal Administration of the group health and life insurance policies; Hilton Melot seconded. Passed 5-0.

Francis Levier moved to approve the increase in the Tribal mileage rate to correspond with federal travel rate from 22 1/2 to 24 cents a mile; Hilton Melot seconded. Passed 5-0.

Hilton Melot moved to approve Bob Davis as Tax Commissioner; Francis Levier seconded. Passed 5-0.

Francis Levier moved to approve Resolution #90-91 in appreciation of Ken Cadaret; John Barrett seconded. Passed 5-0.

John Barrett moved to authorize \$27,000.00 for a scanner system and a computer utilizing the remaining set-aside funds and store operating funds; Hilton Melot seconded. Passed 5-0.

Business Committee went into Executive Session at 11:30 p.m.

Meeting adjourned at 12:15 a.m.

Seminar on native businesses set March 28-29 in Tahlequah

A seminar designed for Native Americans who are considering starting a business or who are already in business is set for March 28 and 29 at Northeastern State University in Tahlequah, Okla. Sessions will be held in the Redbud Room of the University Center.

There is no charge for the seminar, which is being held in conjunction with the university's 18th Annual Symposium on the American Indian, planned for that entire week on the NSU campus.

All aspects of business planning, financing and managing for present and future business owners will be covered. Presenters will include officials of the Bureau of Indian Affairs, Oklahoma Indian Business

Development Center, Service Corps of retired Executives, and the U.S. Small Business Administration as well as professionals in marketing, management, business law, and accounting.

Special highlights will feature successful Indian business owners and Indian professionals in two roundtable discussions - the first on the ups and downs of owning a business and the other on the relationship between tribal governments and individual Indian-owned businesses.

For further information, contact Sandra Sac Parker, seminar coordinator, at the Small Business Development Center. 918-458-0802

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Constitution.

ARTICLE XIII SPECIAL ELECTIONS

S13-101: Election Board

When a special election is properly called, the Business Committee by resolution shall establish an independent election board to conduct the special election.

S13-102: Composition

The independent election board shall have the same composition as that of the Election Committee provided for herein.

S13-103: Powers Of The Election Board

The independent election board shall have the same powers and duties as set forth herein for the Election Committee and shall have such further powers as are necessary to carry out the duties imposed by the Tribal Constitution and By-Laws. Further, the independent election board will have the power to establish different time periods for filing, challenges, contests and appeals, but shall not have power to change the other substantive and procedural rules provided for herein including, by way of example only, the eligibility to vote and the eligibility and qualifications of a candidate.

ARTICLE XIV

VIOLATIONS

S14-101: Misdemeanor

In addition to any other penalties (civil or criminal) provided by law, any person willfully violating the duties and obligations imposed by this ordinance is guilty of a misdemeanor and, upon conviction, may be punished up to the maximum allowed for misdemeanors.

S14-102: Venue And Jurisdiction

The venue and jurisdiction for all violations is exclusively in the Tribal Courts.

ARTICLE XV QUO WARRANTO

S15-101: What Is Quo Warranto

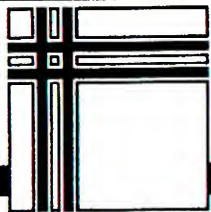
Quo warranto is the name of the writ by which title to an office is resolved. It is not a substitute for or an alternate to the election challenges or appeals provided herein before.

S15-102: Who May Seek

Only a person claiming a better right to the office may bring a quo warranto action.

S15-103: Who Is The Proper Party Defendant

The only proper party defendant is the person who holds title to the office.



TREATIES: *Ottawa treaty of 1821*

Articles of a treaty made and concluded at Chicago, in the State of Illinois, between Lewis Cass and Solomon Sibley, Commissioners of the United States, and the Ottawa, Chippewa, and Pottawatamie, Nations of Indians.

ARTICLE 1. The Ottawa, Chippewa, and Pottawatamie, Nations of Indians cede to the United States all the Land comprehended within the following boundaries: Beginning at a point on the south bank of the river St. Joseph of Lake Michigan, near the Parc aux Vaches, due north from Rum's Village, and running thence south to a line drawn due east from the southern extreme of Lake Michigan, thence with the said line east to the Tract ceded by the Pottawatamies to the United States by the Treaty of Fort Meigs in 1817, if the said line should strike the said Tract, but if the said line should pass north of the said Tract, then such line shall be continued until it strikes the western Tract, then such line shall be continued until it strikes the western boundary of the Tract ceded to the United States by the Treaty of Detroit in 1807, and from the termination of the said line, following the boundaries of former cessions, to the main branch of the Grand River of Lake Michigan, should any of the said lines cross the said River, but if none of the said lines should cross the said River, then to a point due east of the source of the said main branch of the said river, and from such point due west to the source of the said principal branch, and from the crossing of the said river, or from the source thereof, as the case may be, down the said River, on the north bank thereof, to the mouth; thence following the shore of Lake Michigan to the south bank of the said river St. Joseph, at the mouth thereof, and thence with the said south bank to the place of beginning.

ART. 2. From the cession aforesaid, there shall be reserved, for the use of the Indians, the following Tracts:

One tract at Mang-ach-quia Village, on the river Peble, of six miles square.

One tract at Mick-ke-saw-be, of six miles square.

One tract at the village of Prairie Ronde, of three miles square.

One tract at the village of Match-e-be-nark-she-wish, at the head of the Kekalamazoo river.

ART. 3. There shall be granted by the United States to each of the following persons, being all Indians by descent, and to their heirs, the following Tracts of Land.

To John Burnet, two sections of land.

To James Burnet, Abraham Burnet, Rebecca Burnet, and Nancy Burnet, each one section of land; which said John, James, Abraham, Rebecca, and Nancy, are children of Kaw-kee-me, sister of Top-ni-be, principal chief of the Potawatamie nation.

The land granted to the persons immediately preceding, shall begin on the north bank of the river St. Joseph, about two miles from the mouth, and shall extend up and back from the said river for quantity.

To John B. La Lime, son of Noke-no-quia, one-half of a section of land, adjoining the tract before granted, and on the upper side thereof.

To Jean B. Chandonai, son of Chip-pe-wa-quia, two sections of land, on the river St. Joseph, above and adjoining the tract granted to J.B. La Lime.

To Joseph Daze, son of Chip-pe-wa-quia, one section of land above and adjoining the tract granted to Jean B. Chandonai.

To Monguago, one-half of a section of land, at Mish-she-wa-ko-kink.

To Pierre Moran or Peeresh, a Potawatamie Chief, one section of land, and to his children two sections of land, at the mouth of the Elkheart river.

To Pierre Le Clerc, son of Moi-quia, one section of land on the Elkheart river, above and adjoining the tract granted to Moran and his children.

The section of land granted by the Treaty of St. Mary's, in 1818, to Peeresh or Perig, shall be granted to Jean B. Cicot, son of Pe-say-quot, sister of the said Peeresh, it having been so intended at the execution of the said Treaty.

To O-she-ak-ke-be or Benac, one-half of a section of land on the north side of the Elk-heart river, where the road from Chicago to Fort Wayne first crosses the said river.

To Me-naw-che, a Potawatamie woman, one-half of a section of land on the eastern bank of the St. Joseph, where the road from Detroit to Chicago first crosses the said river.

To Theresa Chandler or To-e-ak-qui, a Potawatamie woman, and to her daughter Betsey Fisher, one section of land on the south side of the Grand River, opposite to the Spruce Swamp.

To Charles Beaubien and Medart Beaubien, sons of Man-na-ben-a-quia, each one-half of a section of land near the village of Ke-wi-go-shkeem, on the Washtenaw river.

To Antoine Roland, son of I-gat-pat-a-wat-a-mie-quia, one-half of a section of land adjoining and below the tract granted to Pierre Moran.

To William Knaggs or Was-es-kuk-son, son of Ches-quia, one-half of a section of land adjoining and below the tract granted to Antoine Roland.

To Madeline Bertrand, wife of Joseph Bertrand, a Potawatamie woman, one section of land at the Parc aux Vaches, on the north side of the river St. Joseph.

To Joseph Bertrand, junior, Benjamin Bertrand, Laurent Bertrand, Theresa Ber-

trand, and Amable Bertrand, children of the said Madeline Bertrand, each one half of a section of land at the portage of the Kankakee river.

To John Riley, son of Me-naw-cum-a-go-quoi, one section of land, at the mouth of the river Au Foin, on the Grand river, and extending up the said River.

To Peter Riley, the son of Me-naw-cum-e-go-quia, one section of land, at the mouth of the river Au Foin, on the Grand river, and extending down the said river.

To Jean B. Le Clerc, son of Moi-quia, one half of a section of land, above and adjoining the tract granted to Pierre Le Clerc.

To Joseph La Framboise, son of Shaw-we-no-quia, one section of land upon the south side of the river St. Joseph, and adjoining on the upper side the land ceded to the United States, which said section is also ceded to the United States.

The Tracts of Land herein stipulated to be granted, shall never be leased or conveyed by the grantees or their heirs to any persons whatever, without the permission of the President of the United States. And such tracts shall be located after the said cession is surveyed, and in conformity with such surveys as near as may be, and in such manner as the President may direct.

ART. 4. In consideration of the cession aforesaid, the United States engage to pay to the Ottawa nation, one thousand dollars in specie annually forever, and also to appropriate annually, for the term of ten years, the sum of fifteen hundred dollars, to be expended as the President may direct, in the support of a Blacksmith, of a Teacher, and of a person to instruct the Ottawas in agriculture and in the purchase of cattle and farming utensils. And the United States also engage to pay to the Potawatamie nation five thousand dollars in specie, annually, for the term of twenty years, and also to appropriate annually, for the term of fifteen years, the sum of one thousand dollars, to be expended as the President may direct, in the support of a Blacksmith and a Teacher. And one mile square shall be selected, under the direction of the President, on the north side of the Grand River, and one mile square on the south side of the St. Joseph, and within the Indian lands not ceded, upon which the blacksmiths and teachers employed for the said tribes, respectively, shall reside.

ART. 5. The stipulation contained in the treaty of Greenville, relative to the right of the Indians to hunt upon the land ceded while it continues the property of the United States, shall apply to this treaty.

ART. 6. The United States shall have the privilege of making and using a road through the Indian country, from Detroit and fort Wayne, respectively, to Chicago.

ART. 7. This Treaty shall take effect and be obligatory on the contracting parties, so soon as the same shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof.

In testimony whereof, the said Lewis Cass and Solomon Sibley, commissioners as aforesaid, and the chiefs and warriors of the said Ottawa, Chippewa, and Pattiwatima nations, have hereunto set their hands, at Chicago aforesaid, this 29th day of August, in the year of our Lord one thousand eight hundred and twenty-one.

Lewis Cass,
Solomon Sibley.

Ottawas:
Kewagouscum, his x mark,
Nokawjegaun, his x mark,
Kee-o-to-aw-be, his x mark,
Ket-che-me-chi-na-waw, his x mark,
Ep-pe-san-se, his x mark,
Kay-nee-wee, his x mark,
Mo-a-put-to, his x mark,
Mat-che-pee-na-che-wish, his x mark,

Chippewas:
Met-tay-waw, his x mark,
Mich-el, his x mark,

Pattiwatimas:
To-pen-ne-bee, his x mark,
Mee-te-ay, his x mark,
Chee-banse, his x mark,
Loui-son, his x mark,
Wee-saw, his x mark,
Kee-po-taw, his x mark,
Shay-auk-ke-bee, his x mark,
Sho-mang, his x mark,
Waw-we-uck-ke-meck, his x mark,
Nay-ou-chee-mon, his x mark,

Continued, next page



A Potawatomi welcome to these new members

**These members were able to claim their Tribal heritage as a result of the descendancy amendment.
A warm welcome to one and all!**

A—

Adams, Joeleen June Marie
Adams, Joshua James
Adams, Lorna June Nail
Alfrey, Jason Dean
Alfrey, Shasta Dawn
Allemand, Jennifer Lee
Allen, Kimberly Lynne
Melott

B—

Barrett, Ashley Nicole
Barrett, Shana Nachele
Baughn, Audra May Bazil
Bazhaw, Brenda Kay
Bazil, Tisha Ann
Boatright, Jennifer Dee
Bourassa, Dallas Lee
Bourassa, Derric Lynn
Boursaw, Jon Andrew
Boursaw, Kristen Marie
Brown, Donny Ray
Brown, Jr., Rocky Wayne
Brown, Marisa Danielle
Brown, Rogina Marie Melott
Burk, Dallas Irene
Burk, Darrell Preston
Burks, Destinay Marie

C—

Carey, Shannon Ka Killian
Cashat, Karen Ann
Cashat, Kathryn Sue
Casillas, Brittan Ashley
Cheatwood, Gregory Randall
Cleveland, Andrew Dewayne
Cochran, Eric Douglas
Cochran, Justin Ryon
Cody, Amber Lea
Cody, Jason Scott
Cody, Jennifer Nicole
Cody, Josiah Aaron
Cody, Sasha Dawn
Cohen, Elise Wood
Collins, Aaron Bradley
Collins, Adam Benjamin
Collins, Andrew Bennett
Conner III, Michael Eugene
Coover, Erik James
Curley, Amber Christine
Curley, Curtis Wade

D—

Dale, Montana Lynn
DeVader, Allison Rose
DeVader, Eric Daniel
Dickson, Brian Louis
Dickson, Levi Edward
Dickson, Miles Russell
Donalson, Claire Ann
Downing, Kaitlin Briana
Downing, Tiffany Joanna
Downing, Tyler Leon
Doyle, Dana Ann

Driskill, Amanda Lee
Driskill, Bobbie Raye
Driskill, Leslie Marie
Duvall, Jeremy Scott
Duvall, Joshua
E—
Eagle, Marlyn June
Eagle, Mary Elizabeth
Ehmke, Daniel James
Ely, Daniel Ross
Ely, Jeremiah Ray
Ely, Rebecca R.
Ely, Robin Elizabeth
English, Angela Lee
English, Sandra Denise
Eppler, Haley Kristin
Eppler, Matthew Earl
Ercanbrack, Lonny Dewayne
Evans, Shelly Ann
Everett, Meredith Janell

F—

Fastabend, Debbie Diane
Soelter
Feliciano, Nehemiah Douglas
Fox, Terry Lyn
Freer, Garrett David
Fulton, Jonathan Wade
Fulton, Jr., Ronald Ellis
Fulton, Justin Lafe
Fulton, Philip Darren
Fulton, Travis Michael

G—

Gann, Cameron Lee
Gardner, David Paul
Garman, Andrea Cee
Garman, Brittany LaChell
Garman, Paula Marie
Goggin 5th, James Daniel
Goggin, Brian Arthur
Goggin, John Michael
Goggin, Sherry Lee
Good, Reginald Brandon
Gordon III, Thomas Patrick
Gordon, Jill Elizabeth
Gordon, Kate Boswell
Green, Gayle Elizabeth
Green, Kenneth Carl
Gregson, Glenda Mae
Gregson, Kathy Renee

H—

Haas, Jo Lenna Hamilton
Haas, Reuben Paul
Hankerson, Alyxis Eve
Hankerson, Elyse Ivy

Harmon, Christina Lynn
Harmon, Kelly Mitchell
Hayward, Dianna Brynn
Henson, John Craig
Higgins, Michael Lee
Hill, Graham Simon
Hill, Marisa Noelle
Honsinger, Amber Dawn
Hopcus, Robert Christopher
Houston, Eric Daniel
Houston, Rene' Lynn
Houston, Tonya Dee

J—

Jack, Toni Maxine
James, Kelly Sioux
Johnson, Nick Louis
Jones, Jayson Ashley
Jones, Michael Wakefield
Jones, Olivia Lauren
Juneau, Amy Beth
Juneau, Craig Michael

K—

Kauark, Daniela Marie
Norris
Kauark, Fernando Jim Norris
Kenny, Stephanie Ann
Kenny, Steven Joseph
Killman, Kelle Rachelle
Killman, Steven Wade
Kirk, David Michael
Kirk, Kathy Ann
Kremenak, Jill Paula

L—

Lackey, Deborah Denise Silas
Lackey, Jacob Lee
Lawrence, Amy Lee
Lawrence, Angela Dawn
Lawrence, Angela Lynn
Lawrence, Michelle Lynne
Lawson, Steven Lee
Ledlow, Ricky Dean
Lenertz, Elisabeth Anne
Lewis, Stephen
Little, Deborah Denise

M—

Macon, Bradley Phillip
Macon, Christopher Duane
Macon, James Bradley
Macon, Lindsey Ruth
Macon, Thomas Daniel
Madole, Craig Allen
Madole, Jason Thomas
Madole, Michael John
Madole, Robert Norman

Madole, Shannon Elaine
Manning, Jr., Michael Anthony
Manning, Tonya Marie
Martin, Brian James
Martin, Casey Johnathan
Martin, Richard Lee
Mason, Kaci Jane
Mason, Vicki Ann
Matlock, Sabrina Marie
McBride, Kevin Patrick
McDonald, Daniel Lee
McDonald, David Lawrence
McDonald, Diane Lorrene
Means, Kelsey Marie
Means, Lindsey Louise
Melott, Kendra Lane
Merrill, Joshua Evans
Merrill, Lori Ann Moore
Meyer, Courtney Rae
Meyer, Jr., Richard Allen
Miller, Brenda Louise Hines
Miller, James Donald
Miller, Karen Kristine
Motley, Steven Wayne

N—

Nail, Charles Wyman
Nunley, Randy Wayne
Nunley, Robie Lee
O—
O'Bannon, Daniel Ray
O'Neal, Jason Nathaniel
O'Neal, Matthew Steven
Officer, Chase Tanner

P—

Penniston, Anne Marie
Penniston, Britt Katherine
Penniston, Stephen Christopher
Penniston, Thomas Andrew
Pierce IV, Charles Edward
Pierce, Jeanne Louise
Prewett, Jason Kyle
Prewett, Lisa Diane Motley

Q—

Quinn, Carrie Deanna
Quinn, Dixie Morgan
Quinn, Jonathan Ryan

R—

Rebold, April Leanne
Rebold, Jace Mattheu
Rebold, Sarah Elizabeth
Riddle, Erica Lauren
Riley, Angela Renee
Riley, Melissa Ann
Roche, Emily Alyssa
Roche, Gwendolyn Maria

Hash

Roche, Jillian Michelle
Roselius, Rena Sue

S—

Savory, Crystal Lynn
Selby, Skyler Beth
Settle, Kristine Karey
Severson, Debra Ann Panarra
Silas, Bryan Chance
Skalabrin, Mark Frederick
Slavin, Jr., Rodney Lynn
Slavin, Melissa Ann
Smith, Andreana Taylor
Smith, Christopher Revere
Smith, Janet Renee
Smith, Jared Scott
Smith, Jr., Jesse Allen
Smith, Michael Bryan
Smith, Travis Logan
Smith, Travis Samuel
Springer V, Charles Thomas
Springer, Simone Elizabeth
Standridge II, Marvin Wayne
Standridge, Kimberly Ann
Standridge, Sherri Lynn
Stewart, Christopher Chad
Stewart, Lindsay Nicole
Striegel, Adam Michael
Striegel, Jami Alison
Striegel, Mathew Stephen
Sturgeon, Christy Ann

T—

Tallon, Dana LaRae
Taylor, Joe Don
Templer, Cheryl Lynn
Templer, Kimberly A.
Templer, Pamela E.
Templer, Robin Marie
Thompson, Carly Renee
Thompson, William Howard
Tipton, Chelsey Ann
Turley, David Edward
Turley, Maria Ann
Turner, Faye Marie
Turner, Micah James
Turner, Sarah Mozelle

V—

Vaughn, Brandy Joe
Vaughn, Travis Maurice
Vinson, Karen Marie Tarter

W—

Waymire, Lisa Renee
White, Jacqueline Caprecia
White, Megan Nicole
White, Rebecca Joye
Whitehead, Bradley Ray
Whitehead, Bryan Paul
Whitener, Mary Lynn
Williams, Cassie Lynn
Wright, Amy Rae Steinsiek
Wyatt IV, Burke Bond

Y—

Young, Matthew Thomas
Young, Richard Allen

Ottawa Treaty of 1821 — continued from previous page

Kon-gee, his x mark,
Shee-shaw-gan, his x mark,
Aysh-cam, his x mark,
Meek-say-mank, his x mark,
May-ten-way, his x mark,
Shaw-wen-ne-me-tay, his x mark,
Francois, his x mark,
Mauk-see, his x mark,
Way-me-go, his x mark,
Man-daw-min, his x mark,
Quay-guee, his x mark,
As-pen-naw-bee, his x mark,
Mat-cha-wee-yaas, his x mark,
Mat-cha-pag-gish, his x mark,
Mongaw, his x mark,
Pug-gay-gaus, his x mark,
Ses-cobe-mesh, his x mark,
Chee-gwa-mack-gwa-go, his x mark,

Waw-seb-baw, his x mark,
Pee-chee-co, his x mark,
Quoi-quoi-taw, his x mark,
Pe-an-nish, his x mark,
Onuck-ke-meck, his x mark,
Ka-way-sin, his x mark,
A-meck-kose, his x mark,
Os-see-meet, his x mark,
Shaw-ko-to, his x mark,
No-shay-we-quat, his x mark,
Mee-gwun, his x mark,
Mes-she-ke-ten-now, his x mark,
Kee-no-to-go, his x mark,
Wa-baw-nee-she, his x mark,
Shaw-waw-nay-see, his x mark,
Atch-wee-muck-quee, his x mark,
Pish-she-baw-gay, his x mark,
Waw-ba-saye, his x mark,

Meg-ges-seese, his x mark,
Say-gaw-koo-nuck, his x mark,
Shaw-way-no, his x mark,
Shee-shaw-gun, his x mark,
To-to-mee, his x mark,
Ash-kee-wee, his x mark,
Shay-auk-ke-bee, his x mark,
Aw-be-tone, his x mark,

In presence of—

Alex. Wolcott, jr. Indian agent,
Jno. R. Williams, Adjutant-General,
M. Ma.
G. Godfroy, Indian agent,
W. Knaggs, Indian agent,
Jacob Visget,
Henry I. Hunt,
A. Phillips, paymaster, U.S. Army,

R. Montgomery,
Jacob B. Varnum, United States factor
John B. Beaubien,
Conrad Ten Eyck,
J. Whippley,
George Miles, jun.
Henry Connor,
James Barnerd,
John Kenzie, subagent.

The tract reserved at the village of Match-e-be-nash-she-wish, at the head of the Ke-kal-i-ma-zoo river, was by agreement to be three miles square. The extent of the reservation was accidentally omitted.
Lewis Cass,
Solomon Sibley.

HOWNIKAN

PEOPLE OF THE FIRE

The HowNiKan is published by the Citizen Band Potawatomi Tribe, with offices at 1901 Gordon Cooper Drive, Shawnee, Oklahoma 74801.

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Changes, mostly minor, made in election ordinance

From page 1
signature before we can send you a ballot," he said. A recent change in the election ordinance states that requests may be written, printed or typed and must include the information Yott listed. Before the change, the ordinance said only that requests must be in writing (S8-102).

Several other minor changes and one major change were made in the election ordinance at a recent Business Committee meeting. One change adds Grievance Committee positions to the section which

prohibits persons from being candidates for more than one office and requires them to specify which posts they are seeking (S6-110). Another change adds the "and legal signature" to the information which must be on the outer envelope of the absentee ballot (S8-105).

Two changes were made in counting procedures at the request of the Election Committee. The changes are mostly in language, designed to clarify the procedures and speed up the tabulation process (S9-201, 202, 207). Another change

raises the fee for a recount from \$200 to \$250 (S9-208).

The major change to the election ordinance is an entirely new section, S4-114: Public Disclosure of Campaign Contributions. That requires candidates to file a statement listing all campaign contributions of more than \$50. The statement must be filed with the tribal Secretary-Treasurer "no later than four weeks after the day of the election." It must be filed even if there were no contributions. Failure to file the statement carries a \$500 fine "and

possible disqualification from the election if the individual falsifies or refuses to file the required reports."

The complete text of the revised election ordinance is printed in this edition of the *HowNiKan*.

Members of the Election Committee are chairman David Bourbonnais, Gary Bourbonnais, Norman Kiker, Debbie Penson and Don Yott. Yott, who is retired, has said that he will be available during the day to answer questions about election procedures from tribal members and candidates. His telephone number is 273-7170.

Navajo Tribe protests plans for 'forced relocation'

(From the *Navajo Times*, Jan. 18, 1990) — The Navajo Tribe is protesting plans by the Navajo and Hopi Relocation Commission to threaten Navajo residents of the Hopi Partitioned Lands with forced relocation.

According to a press release issued by the tribe, the commission is planning to send a letter to Navajo residents of the HPL saying that they will be subject to forced

relocation if they don't move off the lands voluntarily.

"The letter also reportedly states the Congress allegedly intends to speed up relocation, that the Federal District Court for Arizona has said that families may be subject to forced relocation in the future and that the U.S. Justice and Interior Department have demanded that a deadline be set for families to select a relocation site," according to the

tribal press release.

This contradicts a number of statements made recently by the federal government that there will be no forced eviction. Congress has also stated, according to the press release, that the Relocation Commission "has no authority for forced eviction."

Manuel Lujan, the new Secretary of the Interior, also said he does not favor forced eviction. A spokesman for the Interior Department, according to the tribe, was quoted as saying "the bottom line is while Manual Lujan is Secretary of the Interior, they are not going to forcibly take people off their property to another location."

The tribal press release said that while the U.S. Government is saying that the relocation is voluntary, the Relocation Commission "under pressure from the Interior Department and the Justice Department, is threatening a forced relocation program."

Interim Chairman Leonard Haskie said he was furious with the proposed letter.

"The commission is attempting to mislead and intimidate Navajo families," he said. "My administration will not tolerate this attempt to coerce innocent Navajo families, who are simply trying to lead their traditional lives."

Preliminary injunction obtained

From Page 1

state.

The commission's tactics were almost identical to those used in a previous attempt to force the Tribal Store to collect state taxes on cigarettes, except in that instance, the commission first tried to compel Tribal Chairman John A. "Rocky" Barrett Jr. to pay personally. The commission dropped that ploy in court and won a first-round battle before Judge West, but the Tribe prevailed in an appeal to the 10th Circuit Court of Appeals. The commission is appealing that decision to the United States Supreme Court.

In the preliminary injunction on the beer case, it was noted that the Tribal Store and golf course between

them averaged selling \$12,000 worth of beer a month in the last quarter. The court noted that beer has been sold at those locations for about three years and rejected state claims that the sales were "detrimental to the public health and safety," saying the commission provided no evidence of that. However, the court found that the damage to the Tribe would be "in part irreparable" and said that damage "outweighs any damage to the defendants (the tax commission), either monetarily in the form of loss of license fees or otherwise due to infringement on the state's regulatory scheme."

The temporary injunction will be in effect until Judge West can hear complete arguments in the case and issue a more binding decision.

Thanks to these HowNiKan donors

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